

**Barnesville City Council**  
**Regular Meeting**  
**February 13, 2017**

Acting Mayor Jason Rick 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. Absent was Mayor Prim. Others in attendance were City Administrator Mike Rietz, Chris McShane with Ohnstad Twitchell, Finance Director Laurie Schell, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Ambulance Director Scott Nelson, Public Works Supt. Trevor Moen, Kent Fuchs and Dave Olek with Fuchs Sanitation, Scott Kolbinger with KLJ Engineering, Jack Fay with Ehlers Investment Partners, Rebecca Kurtz with Ehlers, Inc. and Michael Stein with the Record Review.

Acting Mayor Rick next asked if there were any addition or corrections to the agenda. City Administrator Mike Rietz stated there was one item to add to the agenda, the approval of pay estimate #5 with Riley Brothers Construction.

**02-13-17-01** Motion by Mrs. Strom and second by Mr. Goedtke to approve the agenda as presented, with the addition of the approval of pay estimate #5 with Riley Brothers Construction. Motion carried.

Acting Mayor Rick stated the next item on the agenda was the consent agenda.

**02-13-17-02** Motion by Mr. Davis 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 January 9, 2017 and the special meeting held on January 17, 2017.
2. Approval of the department head reports.
3. Approval of the check numbers 83059 - 83204 in the amount of \$365,435.83 and EFT payments in the amount of \$531,761.84.
4. Approval of the 2016 SAIFI, SAIDI and CAIDI reports.
5. Approval of gambling permits for Barnesville Rod & Gun, Trojan Takedown Club and Thursday Lions.
6. Approval to hire Whitney Poppel and Brock Walseth as warming house attendant at \$9.50 per hour.
7. Approval of pay estimate #5 with Riley Brothers Construction.

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

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

Acting Mayor Rick stated the next item on the agenda was the public forum.

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

Acting Mayor Rick stated the next item on the agenda was the refuse contract with Fuchs Sanitation.

Dave Olek and Kent Fuchs from Fuchs sanitation presented the proposed contract as recommended by the Personnel and Finance Committee. The contract includes a 9.4% increase over the current cost and then a 2.5% increase in each of the following years in the contract. There is a provision for additional increases during the contract if the cost of fuel increases or if there are increases in costs at the landfill and these additional increases would be subject to approval by the City Council. The new contract allows for a rate for customers over 65 years of age and those that request that rate would be limited to one 32-gallon garbage can.

**02-13-17-03** Motion by Mr. Davis and second by Mr. Goedtke to approve the proposed refuse hauling contract with Fuchs Sanitation. Voting Aye: Goedtke, Strom, Rick, Davis and Stuvland. Voting Nay: Field. Motion Carried.

Acting Mayor Rick stated the next item on the agenda was the 1st reading of Ordinance 2017-02, Garbage Fees.

City Administrator Mike Rietz stated that the proposed ordinance increases the fee the City charges for garbage to include the increases in new Fuchs contract as well as adding the new senior citizen rate.

**02-13-17-04** Motion by Mr. Davis and seconded by Mr. Field to approve the first reading of Ordinance 2017-02. Motion carried.

**CITY OF BARNESVILLE  
ORDINANCE NO. 2017-02**

**AN ORDINANCE AMENDING CHAPTER 8-01, SEC. 2-0106 OF THE MUNICIPAL  
CODE REGARDING REFUSE COLLECTION FEES.**

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

CHAPTER 8-01, SECTION 2-0106 is amended to read as follows:

Fees payable by those receiving the garbage collection service shall be payable on a monthly basis, and are hereby established as follows:

~~\$16.07~~ \$17.22 monthly per residential customer

This fee will increase by 2.5% on February 1, 2018 and every year thereafter until February 1, 2022 when this increase shall be reconsidered by the Council.

\$15.97 monthly per residential customer 65 years of age and older.  
This fee will increase by 2.5% on February 1, 2018 and every year thereafter until February 1, 2022 when this increase shall be reconsidered by the Council.

\$2.00 garbage tag

PASSED AND ADOPTED by the Barnesville City council this 13<sup>th</sup> day of March, 2017.

Approved:

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Eugene Prim  
Mayor

Attest:

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Jeri Reep  
City Clerk

First Reading: February 13, 2017  
Second Reading: March 13, 2017  
Adopted: March 13, 2017  
Published: March 20, 2017

Acting Mayor Rick stated the next item on the agenda was the annual investment report.

Jack Fay with Ehlers Investment Partners presented a summary of the investments that his firm manages for the city. These investments are primarily in CDs and have staggered maturities in case the city needs funds at some point throughout the year. The average return for the year was 1.25%.

Acting Mayor Rick stated the next item on the agenda was the presentation of the Pre-Sale Report for Series 2017A, \$672,000 G.O. Equipment Certificates.

Rebecca Kurtz from Ehlers, Inc. presented the pre-sale report explaining that this was a refinancing of the existing Cable Bond that would produce about \$41,000 in savings and it would include \$164,000 in financing for the new equipment that was recently purchased. She indicated that there are two resolutions that need to be adopted prior to moving forward with the sale of the bonds.

**02-13-17-05** Motion by Mr. Field and seconded 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.

**City of Barnesville  
County of Clay  
State of Minnesota  
Resolution No. 02-13-17-05  
Resolution Determining the Necessity to Issue Not to Exceed  
\$680,000 General Obligation Equipment Certificates, Series 2017A**

- A. WHEREAS, Minnesota Statutes, Sections 410.32 and 412.301, authorize the council to issue equipment certificates within existing debt limits for the purpose of purchasing capital equipment; and
- B. WHEREAS, said statute also provides that if the amount of the equipment certificates to be issued to finance such equipment exceeds 0.25% of the market value of taxable property in the City, the equipment certificates shall not be issued for at least ten days after publication in the official newspaper of a council resolution determining to issue them; and if before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular municipal election is filed with the administrator, the equipment certificates shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election; and
- C. WHEREAS, the council proposes to issue the equipment certificates for said purposes in an amount which exceeds 0.25% of the market value of taxable property in the City; and

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

- 1. Purpose. That it is necessary and expedient for the City Council to issue General Obligation Equipment Certificates, Series 2017A, pursuant to Minnesota Statutes, Sections 410.32 and 412.301, in an amount of not to exceed \$680,000 for the purposes of current refunding the EDA's outstanding Lease Revenue and Refunding Bonds, Series 2008A for an interest cost savings, and to reimburse the City for prior expenditures made to improve its telecom system.
- 2. Amount. The amount of the Certificates is hereby determined and declared to be in excess of 0.25% of the market value of taxable property in the City.
- 3. Publication. The City Administrator is authorized and directed to publish this resolution in the official newspaper of the City.
- 4. Time. At least ten days shall elapse after publication in the official newspaper of the City of this resolution before the Certificates may be issued.

Whereupon said resolution was declared duly passed and adopted.

Dated this 13<sup>th</sup> day of February, 2017.

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Jason Rick, Acting Mayor

Attest:

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Michael Rietz  
City Administrator

**02-13-17-06** Motion by Mr. Field and seconded 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.

**City of Barnesville  
County of Clay  
State of Minnesota  
Resolution No. 02-13-17-06  
Resolution Providing for the Sale of  
\$672,000 General Obligation Equipment Certificates, Series 2017A**

- A. WHEREAS, the City Council of the City of Barnesville, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$672,000 General Obligation Equipment Certificates, Series 2017A (the "Certificates"), to current refund the Economic Development Authority's outstanding Lease Revenue and Refunding Bonds, Series 2008A for an interest cost savings, and to reimburse the City for prior expenditures made to improve its telecom system; and
- B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Certificates in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

1. Authorization; Findings. The City Council hereby authorizes Ehlers to assist the City for the sale of the Certificates.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on March 13, 2017, for the purpose of considering proposals for and awarding the sale of the Certificates.
3. Offering Document. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an offering document for the Certificates.

Whereupon said resolution was declared duly passed and adopted.

Dated this 13<sup>th</sup> day of February, 2017.

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Jason Rick, Acting Mayor

Attest:

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Michael Rietz  
City Administrator

Acting Mayor Rick stated the next item on the agenda was the parking lot paving at Friendship Park.

City Engineer Scott Kolbinger updated the Council on the paving of the parking lot at Friendship Park. He reported that he has spoken to the neighboring property owner, Cris Mortensen, and is aware that the parking lot drains to the alley. He will have a recommendation for the paving at the next Council meeting.

Acting Mayor Rick stated that the next item on the agenda is the snow emergency routes.

City Administrator Rietz informed the Council that the map of the emergency routes at City Hall and what the public works department had on their map did not match, so the Public Works Committee is recommending adding Main Ave. from Front St. to 6th St. Council member Strom requested that 5th Ave. NE from 5th St. NE to 8th St. NE be added as well. The Committee considered that request and chose to not recommend that change.

**02-13-17-07** Motion by Mr. Field and seconded by Mr. Davis to add Main Ave. from Front St. to 6th St. to the snow emergency route map. Voting Aye: Goedtke, Field, Rick, Davis and Stuvland. Voting Nay: Strom. Motion Carried.

Acting Mayor Rick stated the next item on the agenda was the first reading of Ordinance 2017-01 regarding Solar Energy Systems.

City Administrator Rietz reported that the Planning Commission is recommending this Ordinance in order to better regulate and manage installation of solar energy systems in the community.

**02-13-17-08** Motion by Davis and second by Mr. Goedtke to approve the first reading of Ordinance 2017-01 - Solar Energy Systems. Motion carried.

**CITY OF BARNESVILLE  
ORDINANCE NO. 2017-01  
AN ORDINANCE CREATING CITY CODE SECTION 7-0610 FOR THE  
PURPOSES OF REGULATING SOLAR ENERGY SYSTEMS**

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

CHAPTER 7-06, SECTION 7-0610 is created to read as follows:

**SEC 7-0610. SOLAR ENERGY SYSTEMS**

**Subd. 1. Purpose.** This ordinance permits, as an accessory use, solar energy systems, while protecting the health, safety and welfare of city residents and the property interests of adjacent and surrounding land uses through appropriate zoning and land use controls.

**Subd. 2. Definitions**

A. **Building-integrated solar energy system.** A solar energy system that is directly incorporated into the building by replacing typical building materials.

B. **Ground-mounted solar energy system.** A solar energy system that is installed onto the ground directly or by means of brackets or poles.

C. **Roof-mounted solar energy system.** A solar energy system mounted to a house or other building.

D. **Solar energy system.** A set of devices whose primary purpose is to provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation or water heating.

E. **Solar thermal system.** A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs of the building.

### **Subd. 3. Performance Standards**

A. **Permitted accessory use.** Solar energy systems are allowed as an accessory use in all zoning districts, subject to the following requirements. Ground-mounted solar energy systems are not allowed in residential zoning districts.

1. **Height.** Roof-mounted solar energy systems shall not project beyond the peak of the roof and shall not be more than two (2) feet above the roof surface to which they are attached. **EXCEPTION:** Low-slope (at or less than 1:12 pitch) roofs may have a roof-mounted solar energy system extending not more than thirty-nine (39) inches above the roof surface, or extending to the height of the roof's parapet, without regard to projection and set back not less than three (3) feet from the roof edge. Ground-mounted solar energy systems shall not exceed fifteen (15) feet in height.

2. **Location.** Ground-mounted solar energy systems must be located in the side or rear yard only.

3. **Setbacks.** Ground mounted solar energy systems shall be set back the minimum distance required for an accessory structure in the zoning district in which the system is installed.

4. **Coverage.** Roof-mounted solar energy systems shall not cover more than 80 percent of the total area of the roof. Solar energy systems must have three (3) feet of clearance around all edges to facilitate emergency responder access.

5. **Feeder Lines.** All power exterior electrical or other service lines must be buried below the surface of the ground.

6. **Exemption.** Building-integrated solar energy systems are exempt from the requirements of this section and shall be regulated as any other building element.

### **B. Safety**

1. **Compliance with building/zoning codes.** All solar energy systems shall comply with the Minnesota Building Code and any local building and/or zoning code requirements.

2. **Compliance with electric code.** All solar energy systems shall comply with the National Electrical Code.

3. **Compliance with plumbing code.** All solar thermal systems shall comply with the Minnesota State Plumbing Code.

4. **Certifications.** Solar energy system components shall be certified by Underwriters Laboratories Inc. and the Solar Rating and Certification Corporation. The city reserves the right to deny a building permit for proposed solar energy systems deemed to have inadequate certification.

5. **Installation.** Solar energy systems shall be installed only by licensed contractors.

### **C. Approval**

1. **Permits.** The erection, alteration, improvement, reconstruction, and/or movement of a solar energy system requires a building permit from the city.



2. **Utility Notification.** The owner of a solar energy system that will physically connect to a house or other building's electrical system and/or the electric utility grid must enter into a signed interconnection/power purchase/standby agreement with the utility prior to the issuance of a building permit.

**D. Abandonment**

If the solar energy system remains nonfunctional or inoperative for more than twelve consecutive months, the system shall constitute a public nuisance. The owner shall obtain a demolition permit and remove the abandoned system at their expense. Removal includes the entire structure, including collector, mount, and transmission equipment.

**E. Easements**

It shall be the responsibility of the property owner to secure any desired solar easement to protect solar access for the system (per Minnesota Statutes Section 500.30).

**F. Aesthetics**

All solar energy systems shall use colors that blend with the color of the roof or other structure. Reflection angles from collector surfaces shall be oriented so as not to interfere with the use and enjoyment of other properties. Where necessary, screening may be required to address glare.

PASSED AND ADOPTED by the Barnesville City Council this 13<sup>th</sup> day of March, 2017.

Approved:

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Gene Prim, Mayor

Attest:

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Jeri Reep  
City Clerk

First Reading            February 13, 2017  
Second Reading:        March 13, 2017  
Adopted:                 March 13, 2017  
Published:                March 20, 2017

Acting Mayor Rick stated the next item on the agenda was the conflict of interest disclosure from Mayor Prim regarding his Small Cities funding application for two buildings he owns in the city.

In Mayor Prim's absence, City Administrator Rietz read a letter from Mayor Prim indicating that he has applied for Small Cities Program financing for roof repairs for the building he owns on Front St. that houses Mark's Barber Shop. As an elected official, his application creates a conflict of interest that must be disclosed to the City Council. Administrator Rietz also disclosed that Mayor Prim had also applied for Small Cities Program financing for the Record Review building on Front St. that is owned by Mayor Prim. This application was not included in the disclosure letter from Mayor Prim because that application has not been approved for funding at this time. However, disclosing that application at this time meets the requirements of the program if funding becomes available for the Record Review application at some future date. No action is required by the Council on this matter, it is only required that the disclosure happen at a public meeting and be recorded in the minutes.

Acting Mayor Rick stated that the next item on the agenda was the resolution authorizing application for MNTBAP grant funds.

City Administrator Rietz explained that this resolution is necessary to allow the City to apply for grant funds under MNTBAP to provide funding for the environmental cleanup at 908 Front St. S.

**02-13-17-09** Motion by Mr. Davis and second by Mr. Goedtke to approve the Resolution authorizing application for MNTBAP funds. 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. 02-13-17-09  
RESOLUTION OF THE CITY OF BARNESVILLE  
CITY COUNCIL

WHEREAS, the City of Barnesville wishes to apply for MNTBAP funding to support the redevelopment of the brownfields site located at 908 Front St. S. in order to prepare the site to be returned to the tax rolls; and

THEREFORE, BE IT RESOLVED, the City of Barnesville hereby declares its support for the application to the MNTBAP program for funding to address clean-up issues at the brownfields site located at 908 Front St. S.

Motion by City Council Member Davis and seconded by Council Member Goedtke, the foregoing resolution and it was declared adopted upon the following vote. YEAS: Council members Rick, Goedtke, Strom, Davis, Stuvland and Field. NAYS: None. Motion carried.

Adopted this 13<sup>th</sup> day of February, 2017.

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Jason Rick, Acting Mayor

Attest:

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Michael Rietz, City Administrator

Acting Mayor Rick stated the next item on the agenda was the priority setting discussion follow up. There was nothing to report or discuss at this time.

Acting Mayor Rick adjourned the meeting at 7:45 p.m.

Submitted by:

Attest:

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Michael Rietz  
City Administrator

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Jason Rick  
Acting Mayor