

**Barnesville City Council**  
**Regular Meeting**  
**February 8, 2016**

Vice- Mayor Jason Rick called this regular meeting to order at 7:00 p.m. Members present were Council members Jason Rick, Betty Strom, Don Goedtke, Larry Davis, Jr., and Brad Field. Absent was Mayor Eugene Prim and Council Member Dawn Stuvland. Others in attendance were City Administrator Mike Rietz, Sara Nyhus-Wear with Ohnstad Twichell, Finance Director Laurie Schell, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Ambulance Manager Scott Nelson, Eric Mueller and Kyle Juntilla with People Service, Dara Lee, Executive Director of the Clay County HRA, and Pam Aakre with the Record Review.

Vice-Mayor Rick next asked if there were any additions or corrections to the agenda City Administrator Mike Rietz stated the only addition was to add the appointment of Richard Sylvester to the Park Board.

**02-08-16-01** Motion by Mr. Davis and second by Mr. Goedtke to approve the agenda as presented, with the addition of adding the appointment of Richard Sylvester to the Park Board. Motion carried.

Vice-Mayor Rick stated the next item on the agenda was the consent agenda.

**02-08-16-02** 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 11, 2016.
2. Approval of the department head reports.
3. Approval of check numbers 81442 – 81564 in the amount of \$437,935.62 and EFT payments in the amount of \$276,005.41.
4. Approval of gambling permit for the Barnesville Thursday Nite Lions-April 1, 2016 and August 26,2016.
5. Approval of pay request #4 to Hough Inc. for the Fish Ramp project in the amount of \$29,032.48.
6. Appointment of Richard Sylvester to the Park Board.

Vice 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.

Vice Mayor Rick stated the next item on the agenda was the public forum. Vice Mayor Rick asked if there were any citizens present to be heard. There were none.

Council member Stuvland arrived at 7:05 p.m.

Vice Mayor Rick stated the next item on the agenda was the public hearing for the Housing and Community Development Needs and Citizen Participation Plan.

**02-08-16-03** Motion by Mrs. Strom and second by Mr. Goedtke to open the public hearing for the Housing and Community Development Needs and Citizen Participation Plan at 7:06 p.m.

Dara Lee with the Clay County HRA informed council members that in 2002 and 2007 the City was awarded grant funds from the State of Minnesota to rehab commercial, rental and single family homes. The nearly \$1.5 million of grant funds made a significant impact on the community, but more work remains to be done.

Last summer, the EDA entered into a contract with the Clay County Housing and Redevelopment Authority (HRA) to assist the City in putting together an application for grant funds from the Minnesota Department of Employment and Economic Development (DEED) to assist with the rehabilitation of commercial buildings in the downtown area and single family homes owned by low to moderate income families.

The Small Cities Development Program application is due on Feb. 25<sup>th</sup>, 2016. The City Council is required to hold a public hearing on the proposed application and take action to approve a Citizen Participation Plan and to pass resolutions creating a Slum and Blight District in the downtown area and allow for our application to be submitted.

Vice Mayor Rick asked if there was any input from the public on the public hearing. There was none.

**02-08-16-04** Motion by Mrs. Strom and second by Mr. Goedtke to close the public hearing for the Housing and Community Development Needs and Citizen Participation Plan at 7:16 p.m. Motion carried.

Vice Mayor Rick stated the next item on the agenda was to approve the Citizen Participation Plan.

**02-08-16-05** Motion by Mr. Goedtke and second by Mrs. Strom to approve the Citizen Participation Plan for the City of Barnesville. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the Resolution Identifying Slum and Blighting Conditions.

**02-08-16-06** Motion by Mr. Field and second by Mrs. Strom 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 were absent: None. Motion carried.

**CITY OF BARNESVILLE  
RESOLUTION 02-08-16-06**

**Resolution Identifying “SLUM AND BLIGHTING” CONDITIONS**

WHEREAS, the City of Barnesville has assessed its housing and community development needs;

WHEREAS, the City of Barnesville has identified a specific area hereafter referred to as the “slum and blight area” and described on the attached map, and wishes to alleviate the conditions the have contributed to the slum and blight;

WHEREAS, the slum and blight area contains a total of forty-six (46) buildings of which a minimum of twenty-eight (28) or sixty-one percent (61%) are substandard;

WHEREAS, the Barnesville City Council has assessed the condition of the buildings and other characteristics of the “slum and blight area” and has determined it meets blighted area definition contained in Minnesota Statute 469.002, Subd. 11. which states, “‘Blighted area’ means any area with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use, or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.”

NOW BE IT RESOLVED that the City Council of the City of Barnesville finds as follows:

1. There is a need in the City of Barnesville for the rehabilitation of commercial buildings and owner-occupied housing units;
2. The area identified on the attached map as the “slum and blight” area meets the definition of “Blighted area” as found at Minnesota Statute 469.002, Subd. 11.
3. The City of Barnesville authorizes that an application be submitted for Small Cities Development Program funds through the Minnesota Department of Employment and Economic Development to be used to help alleviate the conditions that have contributed to conditions of the “slum and blight” area.

Adopted by the Barnesville City Council this 8<sup>th</sup> day of February, 2016.

Vice Mayor Rick state the next item on the agenda was the resolution authorizing Community Development Block Grant Application.

**02-08-16-07** Motion by Mrs. Strom and second by Mr. Goedtke to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedke, Strom, Davis, Stuvland and Field. The following voted nay: None. Motion carried.

### **Local Government Resolution**

Applicant Name: City of Barnesville

BE IT RESOLVED that the City of Barnesville (applicant) act as the legal sponsor for the project contained in the Application to be submitted on February 8, 2016 and that the Acting Mayor (Title of First Authorized Official) and the City Administrator (Title of Second Authorized Official) are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Barnesville..

BE IT FURTHER RESOLVED that the City of Barnesville has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Barnesville has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the State, the City of Barnesville may enter into an agreement with the State of Minnesota for the approved project, and that the City of Barnesville certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW, THEREFORE BE IT RESOLVED that Acting Mayor (Title of First Authorized Official) and City Administrator (Title of Second Authorized Official), or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

I CERTIFY THAT the above resolution was adopted by the City Council (governing body of Applicant) of the City of Barnesville on February 8, 2016 (date).

SIGNED:

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Jason Rick  
Acting Mayor  
February 8, 2016

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Michael Rietz  
City Administrator  
February 8, 2016

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Laurie Schell  
Finance Director  
February 8, 2016

Vice Mayor Rick stated the next item on the agenda was the investment report from Jack Fay with Ehlers Investment Partners.

Mr. Jack Fay was not able to attend the meeting. His report will be rescheduled to the March Council Meeting.

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

City Administrator Mike Rietz informed council members that this item was discussed at the October 2015 regular meeting. Barnesville Homes has requested to have the snow from the street removed from the boulevard in front of his business, or at least pushed to one side. After discussion, council members decided to table this item to the March regular meeting.

**02-08-16-08** Motion by Mr. Field and second by Mr. Davis to table the snow removal in the Commercial Park discussion to the March regular council meeting. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the 2<sup>nd</sup> reading of Ordinance 2016-01, an Ordinance on Off-Street Parking of RV's and trailers.

City Administrator Mike Rietz informed council members that the Planning Commission has been working on revising the language for the Off Street Parking of RV's and trailers in this section to make it less confusing for residents and the Police Dept. The new language does not make a distinction as to the type of trailer, camper or RV, but rather makes a distinction based on the size and where it is located in the yard. The Planning Commission is recommending approval of this Ordinance.

**02-08-16-09** Motion by Mr. Davis and second by Mr. Goedtke to approve the 2<sup>nd</sup> reading of Ordinance 2016-01. Motion carried.

**CITY OF BARNESVILLE  
ORDINANCE NO. 2016-01**

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 7-06, SEC. 7-0602, SUBD.  
10(B) OF THE MUNICIPAL CODE REGARDING OFF-STREET PARKING OF  
TRAILERS AND RECREATION VEHICLES IN RESIDENTIAL AREAS.**

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

SECTION 1. Chapter 7-06 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

SEC. 7-0602. OFF-STREET PARKING AND LOADING REGULATIONS.

Subd. 10. Off-Street Residential Parking Restrictions.

B. ~~Recreational vehicles: Licensed recreational vehicles or equipment, utility trailers or equipment, and/or off road vehicles located in a front yard or street side yard must be parked on a paved surface consisting of either asphalt or concrete or existing gravel driveways.~~

~~Recreational vehicles or equipment, utility trailers or equipment and/or off-road vehicles located in a rear or interior side yard may be kept on an unpaved surface. Travel trailers, converted buses or converted vans must be parked on a paved surface of either asphalt or concrete.~~

Utility trailers or equipment, recreational camping vehicles (as defined in Sec. 5-0303 of the City Code), converted buses, converted vans, off-road vehicles, and recreational equipment, including, but not limited to, boats, snowmobiles or jet skis shall be parked in accordance with the requirements in this subdivision. The aforementioned items must be well maintained and in an operable condition and validly licensed.

In a front yard or a street side yard the items listed above shall be parked on a paved surface consisting of concrete, asphalt or pavers. If the existing driveway is gravel, 6 inches of compacted class 5 may be used in a front yard or street side yard to meet the paved surface requirements. All paving must be continuous below the footprint of the vehicle and be constructed so that it drains away from all existing structures.

In a rear yard or an interior side yard the items listed above shall be parked on a paved surface consisting of concrete, asphalt, pavers or 6 inches of compacted class 5. All paving must be continuous below the footprint of the vehicle and be constructed so that it drains away from all existing structures. Trailers whose total ground coverage is 85 square feet or less are exempt from the paved surface requirements in a rear yard or interior side yard.

~~Unless completely enclosed within a building, no more than a total of three (3) licensed recreational vehicles or equipment, utility trailers or equipment, and off-road vehicles of the items listed above may be stored on a property at the same time with no more than one (1) stored on the side yard. If more than one vehicle or equipment is stored on a trailer, each vehicle or equipment shall be counted separately, but not the trailer. Up to four vehicles or equipment can be stored on a trailer and it will be counted as one trailer.~~

PASSED AND ADOPTED by the Barnesville City Council this 11<sup>th</sup> day of January, 2016.

APPROVED:

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Jason Rick  
Acting Mayor

ATTEST:

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Jeri Reep  
City Clerk

First Reading: January 11, 2016  
Second Reading: February 8, 2016  
Adopted: February 8, 2016  
Published: February 15, 2016

Vice Mayor Rick stated the next item on the agenda was to approve the summary Ordinance 2016-01.

**02-08-16-10** Motion by Mr. Davis and second by Mr. Field to approve the Summary Ordinance 2016-01. Motion carried.

**TITLE AND SUMMARY OF ORDINANCE NO. 2016-01**

The following Ordinance is hereby published by title and summary:

**1. Title of Ordinance:**

An Ordinance to Amend and Reenact Chapter 7-06, Sec. 7-0602, Subd. 10(B) of the Municipal Code Regarding Off-Street Parking of Trailers and Recreation Vehicles in Residential Areas.

**2. Summary of Ordinance:**

This ordinance changes the language in the zoning code related to off-street parking of trailers and recreational vehicles in residential areas.

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 8<sup>th</sup> day of February, 2016.

APPROVED:

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Jason Rick, Acting Mayor

ATTEST:

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Jeri Reep, City Clerk

First Reading: January 11, 2016  
Second Reading: February 8, 2016  
Adopted: February 8, 2016  
Published: February 15, 2016

Vice Mayor Rick stated the next item on the agenda was the amendment to the 2016 budget.

City Administrator Mike Rietz informed council members that in the final budget for Fund 315 the \$30,000 budgeted revenue from property taxes was not included in the final levy. The final budget did show a \$32,313 surplus to cover the deferred special assessments in the Stoneridge Subdivision. The Personnel and Finance portfolio recommends that we reduce the surplus to \$2,313 and use money already in the fund reserves to cover any shortage in 2016 from the deferred special assessments. Mr. Rietz stated that no changes will be necessary to the levy resolution or budget resolution.

**02-08-16-11** Motion by Mrs. Strom and second by Mr. Field to approve the amendment to the 2016 Budget, removing the \$30,000 tax revenue amount that was not included in the Levy Resolution from the budget for Debt Service Fund 315. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the affiliation agreement with NBCU.

TEC Manager Guy Swenson stated that this agreement includes monthly costs for the rights to broadcast the Olympics. The NCTC was able to negotiate a better rate than NBCU originally proposed. This is a 3-year agreement.



**02-08-16-12** Motion by Mrs. Strom and second by Mrs. Stuvland to approve and authorize TEC Manager Guy Swenson to renew the NBCU 2016-2018 Affiliation Agreement through the NCTC. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the affiliation agreement with FUSE.

TEC Manager Guy Swenson stated that this is a renewal with a slight rate increase annually. Mr. Swenson stated that this is a 5-year agreement.

**02-08-16-13** Motion by Mr. Field and second by Mrs. Strom to approve and authorize TEC Manager Guy Swenson to renew the FUSE 2016-2020 affiliation agreement through the NCTC. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the affiliation agreement with AMC.

TEC Manager Guy Swenson that the TEC Board is recommending to continue with AMC and BBC America for the time being, and add channels as we are able to over the life of the contract. Mr. Swenson stated that this is a 6-year agreement.

**02-08-16-14** Motion by Mrs. Strom and second by Mr. Goedtke to approve and authorize TEC Manager Guy Swenson to renew the AMC 2016-2021 affiliation agreement through the NCTC. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the Cable TV rate increase.

TEC Manager Guy Swenson stated that with all the increases in programming costs which amounted to 10.6% for 2016, we will have to increase the retail rate for Basic and Preferred Cable TV. Mr. Swenson stated that the Basic Cable TV rate will go from \$21.95 per month to \$23.45 per month, and Preferred Cable TV will go from \$67.95 per month to \$73.95 per month.

**02-08-16-15** Motion by Mr. Field and second by Mrs. Stuvland to approve the following resolution rate increase for Cable TV. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Stuvland, and Field. The following members voted nay: none. Motion carried.

**RESOLUTION 02-08-16-15**  
**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 service rate\* (plus applicable taxes and FCC charges)

Economy Basic Cable            ~~\$21.95~~ \$23.45  
 Preferred Basic                    ~~\$67.95~~ \$73.95  
 HD Equipment Charge <sup>\*\*+</sup>    \$ 9.99

Requires Preferred Basic Service<sup>\*\*</sup> Required to receive HD+

Per month premium channel rate\* (plus applicable taxes and FCC charges)

HBO                                    \$16.00  
 CINEMAX                            \$ 9.25

Per month premium channel package rate\* (plus applicable taxes and FCC charges)

HBO/CINEMAX                    \$24.50  
 STARZ/ENCORE                    \$ 7.95

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 or 1 High Definition (HD) Set Top Box at no charge per month.

Additional boxes will be charged at the following monthly rates:

Standard Definition Set (SD)/Top Boxes ..... \$4.95 per month per box  
 High Definition (HD) Set Top Boxes ..... \$8.95 per month per box  
 Standard Definition (SD or HD) Digital Video Recorder (DVR) ..... \$10.95 per month per box

Set Top Boxes can be purchased at the following Rates:

Standard Definition Set (SD) Top Boxes Purchase Price ..... \$87.40 per box  
 High Definition (HD) Set Top Boxes Purchase Price ..... \$327.75 per box  
 Standard Definition (SD or HD) Digital Video Recorder (DVR) Purchase Price ..... \$362.00 per box

Monthly cable TV costs for businesses and institutions such as Nursing homes, Assisted living, Hotels and Motels. This section is exclusive to the above mentioned Institutions.

**BULK RATE:\***

Utilize the current monthly Basic/Preferred Basic rate plus the total number of living units multiplied times the current wholesale cost of programming.

Utilize a mix & match process. Subscribe to Preferred Basic for the “House” location and the Basic rate for the resident units

Example:

Preferred Basic\*

~~\$67.95~~ \$73.95 plus 11 living units x ~~\$49.60~~ \$55.13 (the wholesale cost of programming) = ~~\$613.55~~ \$680.38 plus tax and FCC charge.

Economy Basic\*

~~\$21.95~~ \$23.45 plus 11 living units x ~~\$9.59~~ \$10.51 (the wholesale cost of programming) = ~~\$127.44~~ \$139.06 plus tax and FCC charge.

Mix & Match\* (Preferred Basic & Basic)

~~\$67.95~~ \$73.95 plus 11 living units x ~~\$9.60~~ \$10.51 (the wholesale cost of programming) = ~~\$173.55~~ \$189.56 plus tax and FCC charge.

Premium Channels\*

HBO:                                    \$16.00 per month per subscriber when provided on an individual occupant basis.  
     \$12.00 per month per subscriber when provided to all occupants.

Cinemax: ~~\$9.25~~ \$12.00 per month per subscriber when provided on an individual occupant basis.  
~~\$12.00~~ \$9.25 per month per subscriber when provided to all occupants.  
 Starz/Encore: \$7.95 per subscriber

Service Charges

New Install .....	\$49.95
Applicable to a residence/business to which Cable TV service has never been installed. Does not apply to multi-tenant buildings.	
Relocates: .....	\$19.95
Relocating established cable service from one location to another.	
Install additional outlet: .....	\$15.00
Outlets installed at the time when service is established or relocated.	
Reconnect: .....	\$19.95
Restoring service previously disconnected.	
Service Call:.....	\$19.95
Charge applies for services performed at user's request. Also applies when repair calls are made as a result of defective or improperly tuned customer owned equipment.	
Install Outlet: .....	\$19.95
Charge applies to each additional outlet installed at a current subscriber's location.	

\*Premium channels not included. All rates subject to change.

Incentives

1) Refer a Friend Program:

New Customers to Barnesville Cable TV can receive a one-time \$10.00 credit for being referred to Barnesville Cable TV by a current Barnesville Cable TV customer. The Referring Barnesville Cable TV customer will also receive a \$10.00 credit for referring a new customer.

- a) To receive the referral reward credit, the new customer must mention the referral at the time they sign up for service.
- b) Only one \$10.00 referral reward credit per customer.(Name on the Account)
- c) Current customers are eligible for multiple referral rewards. They will receive a \$10.00 referral reward credit for each new customer they refer to Barnesville Cable TV.
- d) \$10.00 referral reward credits will be paid to the referring customer after the new customer has signed up for Barnesville Cable TV.
- e) Previous Barnesville Cable TV customers returning to Barnesville Cable TV are eligible for the one-time \$10.00 referral reward credit.

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 March 15, 2016.  
Dated: February 8, 2016

APPROVED:

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Jason Rick, Vice Mayor

ATTEST:

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Michael Rietz, City Administrator

Vice Mayor Rick adjourned the meeting at 7:41 p.m.

Submitted by:

Attest:

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Michael Rietz  
City Administrator

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Jason Rick  
Acting Mayor