

**Barnesville City Council  
Regular Meeting  
April 8, 2019**

City Administrator Mike Rietz stated that with Mayor Prim and Acting Mayor Field being absent from the meeting tonight, that council members present will need to elect someone to chair the meeting tonight.

Council members elected David Brown to chair the meeting.

Chair Brown called this regular meeting to order at 7:00 p.m. Members present were Council members Don Goedtke, David Brown, Scott Bauer, Tonya Stokka, and Dawn Stuvland. Absent was Mayor Prim and Council member Brad Field. Others in attendance were City Administrator Mike Rietz, Lukas Croaker with Ohnstad Twitchell, City Clerk Jeri Reep, EDA Director Karen Lauer, Police Chief Dean Ernst, Finance Director Laurie Schell, Public Works Supt. Don Williams, Ambulance Manager Scott Nelson, Dan Hanson with Moore Engineering, Charlie Revering with NWS, Randy Kartchner, Dean and Wanda Julsrud, and Michael Stein with the Record Review.

Chair Brown asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated that there were two additions. To approve the Barnesville Lions Club gambling license for April 4, 2019, July 11-13, 2019, and August 24, 2019, and also to discuss the Barnesville Day Care Center tax status.

**04-08-19-01** Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the agenda as presented with the following additions: To approve the Barnesville Lions Club gambling license for April 4, 2019, July 11-13, 2019, and August 24, 2019, and also to discuss the Barnesville Day Care Center tax status. Motion carried.

Chair Brown stated the next item on the agenda was the consent agenda.

**04-08-19-02** Motion by Mr. Goedtke and second by Mrs. Stokka to approve the consent agenda as presented. Motion carried. The following items were on the consent agenda.

1. Approval of the minutes of the March 11, 2018 regular meeting.
2. Approval of department head reports.
3. Approval of check numbers 86272-86375 and EFT payments for a total of \$548,509.99.
4. Approval to hire Kevin Herr as Golf Course Pro Shop Manager at \$15.00 per hour.
5. Accept the resignation of Park Board member Heather Link.
6. Approval to appointing Brady Jorud and Jesse Bucholz to the Park Board.
7. Approval of the 1<sup>st</sup> quarter transfers.
8. Approval of the Barnesville Lions Club gambling license for April 4, 2019, July 11-13, 2019, and August 24, 2019.

Chair Brown stated the next item on the agenda was the board and commission reports.

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

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

Chair Brown stated the next item on the agenda was the update on the property at 508 6<sup>th</sup> Street NW.

Mr. Randy Kartchner updated council members on the progress at the home at 508 6<sup>th</sup> Street NW. Mr. Kartchner stated that the improvements are going well, and the building inspector has commented that the improvements have been over and above what is required. Council members had no further questions for Mr. Kartchner.

Chair Brown stated the next item on the agenda was the proposal for purchase at 908 Front Street South.

EDA Director Karen Lauer stated that proposals were sent out, with a deadline of April 1, 2019 to submit proposals. Only one proposal was received, and that was from Dean's Auto Repair. City Administrator Mike Rietz and EDA Director Karen Lauer have reviewed the proposal, and feel it is a good use of the property. Mrs. Lauer stated the next step in the proposal would be for the City Council to pass a motion directing staff to prepare a Development Agreement with Dean's Auto Repair with the details as outlined in their proposal.

**04-08-19-03** Motion by Mr. Goedtke and second by Mr. Bauer to accept the proposal from Dean's Auto Repair in the amount of \$24,500.00 for the property at 908 Front Street South. Motion carried.

**04-08-19-04** Motion by Mrs. Stokka and second by Mr. Bauer to authorize staff to prepare a Development Agreement with Dean's Auto Repair in the amount of \$24,500.00 for the property at 908 Front Street South. Motion carried.

Chair Brown stated the next item on the agenda was the Resolution approving contamination cleanup grant application.

**04-08-19-05** Motion by Mrs. Stokka and second by Mr. Bauer to approve the following resolution approving Contamination Cleanup Grant Application. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer and Brown. The following were absent: Council member Field. Motion carried.

CITY OF BARNESVILLE  
COUNTY OF CLAY  
STATE OF MINNESOTA  
RESOLUTION NO. 04-08-19-05

RESOLUTION OF THE CITY OF BARNESVILLE  
CITY COUNCIL

BE IT RESOLVED, that the City of Barnesville has approved the Contamination Cleanup grant application to be submitted to the Department of Employment and Economic Development (DEED) on or before May 1, 2019 by the City of Barnesville for the former Braton Excavating/908 Front St. S. site.

Adopted this 8<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
Bradley L. Field, Acting Mayor

Attest:

\_\_\_\_\_  
Jeri Reep, City Clerk

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

STATE OF MINNESOTA     )  
  )  
CITY OF BARNESVILLE    )

I, Michael Rietz, Administrator of the City of Barnesville, do hereby certify that I have compared the foregoing resolution with the original filed in my office on the 8th day of April of 2019 and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of the City of Barnesville, this 8<sup>th</sup> day of April, 2019.

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Michael Rietz, City Administrator

Cahir Brown stated the next item on the agenda was the Resolution Committing Local Match for the Contamination Cleanup Grant.

**04-08-19-06** Motion by Mrs. Stokka and second by Mr. Bauer to approve the Resolution Committing Local Match for the Contamination Cleanup Grant. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer and Brown. The following were absent: Council member Field. Motion carried.

CITY OF BARNESVILLE  
COUNTY OF CLAY  
STATE OF MINNESOTA  
RESOLUTION NO. 04-08-19-06

RESOLUTION OF THE CITY OF BARNESVILLE  
CITY COUNCIL

BE IT RESOLVED that the City of Barnesville act as the legal sponsor for project(s) contained in the Contamination Cleanup Grant Program to be submitted on or before May 1, 2019 and that the EDA Director is 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 project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

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 above-referenced project(s), and that the City of Barnesville certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE BE IT FINALLY RESOLVED that the Mayor and City Administrator are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

Adopted this 8<sup>th</sup> day of April, 2019.

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Bradley L. Field, Acting Mayor

Attest:

\_\_\_\_\_  
Jeri Reep, City Clerk

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, Brown and Bauer. NAYS: City Council member: none, Absent: Council member Field. Motion carried.

STATE OF MINNESOTA     )  
  )  
CITY OF BARNESVILLE    )

I, Michael Rietz, Administrator of the City of Barnesville, do hereby certify that I have compared the foregoing resolution with the original filed in my office on the 8th day of April of 2019 and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of the City of Barnesville, this 8<sup>th</sup> day of April, 2019.

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Michael Rietz  
City Administrator

Chair Brown stated the next item on the agenda was the Resolution accepting bids for the Commercial Condo project.

City Administrator Mike Rietz informed council members that the EDA has 2 of the lots presold for the Commercial Condos and staff is recommending moving forward with the construction. The EDA Board is recommending to move forward with the two pre-sold lots they have now. The EDA is funding their portion of the project, which is about 50% of the construction costs through a loan from West Central Initiative.

**04-08-19-07** Motion by Mr. Goedtke and second by Mrs. Stokka to approve the resolution regarding the installation of water and sanitary sewer to the Planned Unit Development within Barnesville Commercial Park 4<sup>th</sup> Addition. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer and Brown. The following were absent: Council member Field. Motion carried.

**CITY OF BARNESVILLE  
CLAY COUNTY, MINNESOTA**

**RESOLUTION NO. 04-08-19-07**

**Resolution Accepting Bid**

WHEREAS, pursuant to an advertisement for bid for Improvement No. 2019-01, regarding the installation of water and sanitary sewer to the Planned Unit Development within Barnesville Commercial Park 4<sup>th</sup> Addition, bid was received, opened and tabulated according to the law, and the bids on the attached Bid Tabulation were received complying with the advertisement.

AND WHEREAS, it appears that Dirt Dynamics of Fargo, ND is the lowest responsible bidder,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BARNESVILLE, MINNESOTA:

1. The Mayor and Clerk are hereby authorized and directed to enter into the attached contract with Dirt Dynamics of Fargo, ND in the name of the City of Barnesville for the installation of water and sanitary sewer to the Planned Unit Development within Barnesville Commercial Park 4th Addition, according to the plans and specifications therefor approved by the city council and on file in the office of the city clerk.

2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the council this 8th day of April, 2019.

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Bradley L. Field, Acting Mayor

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Jeri Reep, City Clerk

Chair Brown stated the next item on the agenda was to approve the Cooperative City Prosecution Services Agreement.

Assistant City Attorney Lukas Croaker stated nothing has changed in the agreement since last month. City Administrator Mike Rietz stated that the City of Moorhead has decided to charge us what we had been charged previously, and then adjust the amount by 3% each year.

**04-08-19-08** Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the Cooperative City Prosecution Services Agreement with the City of Moorhead. Motion carried.

Chair Brown stated the next item on the agenda was the work authorization with Moore Engineering on the Wastewater Treatment Improvements.

Council member Stokka recused herself from this agenda item due to a conflict of interest.

City Engineer Dan Hanson next discussed with council members the improvements to the Wastewater Treatment Facility. This task order will authorize Moore Engineering to provide engineering and consulting services in advance of final negotiations and execution of an engineering/professional services task order this the project. The fees for the work will not exceed \$15,000.00 without written authorization from the City.

**04-08-19-09** Motion by Mr. Bauer and second by Mrs. Stuvland to authorize staff to sign the work authorization ahead of contract with Moore Engineering on the Wastewater Treatment Improvements. Motion carried.

Chair Brown stated the next item on the agenda was the discussion of options for repair of the Wastewater lagoons.

Mr. Dan Hanson with Moore Engineering discussed with council members that the wastewater secondary cell #2 they found the clay liner to be thin, and suggest to rehab cell #2 and put it back in service. The Public Works committee will discuss the options on the wastewater lagoons at the May meeting.

Chair Brown stated the next item on the agenda was the 2019 sealcoat project.

City Administrator Mike Rietz informed council members that three sealcoat quotes were received, and Morris Sealcoat and Trucking was the lowest quote in the amount of \$119,132.20. Mr. Rietz stated that since the legislature increased the requirement for formal bidding to \$175,000, we were able to see quotes and not go thru the more formal process.

**04-08-19-10** Motion by Mr. Bauer and second by Mr. Goedtke to approve the Morris Sealcoat and Trucking quote in the amount of \$119,132.20 for sealcoating. Motion carried.

Chair Brown stated the next item on the agenda was the 13<sup>th</sup> Street Annexation.

City Administrator Mike Rietz informed council members that the 1<sup>st</sup> reading of Ordinance 2019-01 is the first step in the process to annex 13<sup>th</sup> Street and the land between it and the East city limits.

**04-08-19-11** Motion by Mrs. Stokka and second by Mr. Goedtke to approve the 1<sup>st</sup> reading of Ordinance 2019-01. Motion carried.

#### ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY OF BARNESVILLE ANNEXING LAND LOCATED IN CLAY COUNTY, MINNESOTA, TO THE CITY OF BARNESVILLE, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT. § 414.033, SUBD. 2(1) PERMITTING ANNEXATION BY ORDINANCE.

WHEREAS, the City of Barnesville (the “City”) has purchased a parcel of land containing a road known as 13<sup>th</sup> Street, which abuts the municipal boundaries of the City; and

WHEREAS, under state law, the City has the right to annex land that is owned by the municipality into the City, and the City has authority to annex such property.

NOW, THEREFORE, THE CITY OF BARNESVILLE DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Southwest Quarter of Section 29, Township 137 North, Range 45 West, Clay County, Minnesota; is land that is owned by the City



of Barnesville; is land that abuts the municipal corporate limits of the City and the area to be annexed is 120 acres or less; and is land that is not presently served by public wastewater facilities.

Section 2. That the City desires to annex the land legally described in Exhibit A for purposes of immediately redeveloping the land for additional urban or suburban commercial uses.

Section 3. That the City of Barnesville has, or will, hold a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on **May 13, 2019**, following thirty (30) days' written notice by certified mail to the town affected by the annexation and to all landowners within and contiguous to the area to be annexed, legally described in Exhibit A.

Section 4. That the corporate limits of the City of Barnesville are hereby extended to include the land legally described in Exhibit A, containing approximately 4.14 acres, and the same is hereby annexed to be included within the City of Barnesville, Clay County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed is 0.

Section 6. That the land to be annexed is a road and is not subject to property taxes.

Section 7. That the City Administrator of the City of Barnesville is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, and the Clay County Auditor, and the Humboldt Township Clerk.

Section 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

Passed and adopted this 8th day of April, 2019.

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Bradley L. Field, Acting Mayor

ATTEST:

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Jeri Reep, City Clerk

## EXHIBIT A

### Legal Description

The Subject Area to be annexed in the attached Ordinance is legally described as follows:

Part of the Southwest Quarter of Section 29, Township 137 North, Range 45 West of the 5th Principal Meridian, Clay County Minnesota, more particularly described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South 01 degrees 57 minutes 40 seconds East, along the west line of said Southwest Quarter, a distance of 173.00 feet to the south line of DEL ACRES GILBERTSON SECOND ADDITION and to the point of beginning; thence North 89 degrees 09 minutes 17 seconds East, along said south line, a distance of 100.00 feet to the southwest corner of Lot 1 Block 1 of DEL ACRES GILBERTSON SECOND ADDITION; thence South 00 degrees 41 minutes 35 seconds East a distance of 2485.20 feet to the south line of said Southwest Quarter; thence South 89 degrees 18 minutes 34 seconds West, along said south line of the Southwest Quarter, a distance of 45.00 feet to the southwest corner of said Southwest Quarter; thence North 01 degrees 57 minutes 40 seconds West, along the west line of said Southwest Quarter, a distance of 2485.54 feet to the point of beginning.

Said tract contains 4.14 acres, more or less, and is subject to any easements or rights of way previously acquired.

The above parcel is also identified as Clay County Parcel No. 16.029.9001.

Chair Brown stated the next item on the agenda was the Barnesville Day Care Center tax status.

City Administrator Mike Rietz stated that the Day Care Center has reached out to us about their property tax statement. Last year, the State of Minnesota changed requirements to the County Assessor. The Day Care Center has been tax exempt in the past, and no longer meet that requirement. Mr. Rietz stated that he has sent an email to the County asking the county board to review the tax status for the Day Care Center. Mr. Rietz stated that he would be attending the County Board meeting on Tuesday.

Chair Brown stated the next item on the agenda was the resignation of Council member David Brown. Mr. Brown stated that he has accepted a position out of state. Mr. Brown stated that it has been a pleasure working with the Mayor, council and staff of the City.

**04-08-19-12** Motion by Mr. Bauer and second by Mrs. Stokka to accept the resignation of Council member Brown. Motion carried.

City Administrator Mike Rietz stated that he would advertise for a Council member from Ward 2.

City Administrator Mike Rietz stated that there will be a County regional quarterly meeting on April 22th in Hitterdal.

Chair Brown adjourned the meeting at 7:51 p.m.

Submitted by:

Attest:

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Jeri Reep  
City Clerk

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David Brown  
Chair of City Council