

**Barnesville City Council**  
**Regular Meeting**  
**July 11, 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 Clerk Jeri Reep, Sara Nyhus-Wear with Ohnstad Twichell, Finance Director Laurie Schell, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Public Works Supt. Trevor Moen, Mike Kurkowski with People Service, Jon Pauna with KLJ Engineering, Dara Lee with Clay County HRA, Gina Ernst, Nita Fenner, Heather Kujuva, and Pam Aakre with the Record Review.

Mayor Prim next asked if there were any additions or corrections to the agenda. Mayor Prim stated he would like to add the discussion of Blue Eagle Lake to the agenda.

**07-11-16-01** Motion by Mr. Davis and second by Mrs. Stuvland to approve the agenda with the addition of the Blue Eagle Lake discussion. Motion carried.

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

**07-11-16-02** Motion by Mr. Rick and second by Mr. Davis to approve the consent agenda as presented. Council member Strom stated that the ordinance portfolio minutes were not included in the packet. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on June 13, 2016.
2. Approval of the department head reports.
3. Approval of the monthly expenditures of check numbers 82145-82277 in the amount of \$1,236,375.23 and EFT payments in the amount of \$242,763.52.
4. Approval of the resignation of Liquor Store Clerk Karie Dent.
5. Approval to hire Lindsay Johnson as Liquor Store Clerk at \$9.50 per hour.
6. Approval to hire Ron Siedschlag as part-time substitute EMT
7. Approval of 2<sup>nd</sup> quarter transfers.
8. Approval of pay request #1 for Del Acres Gilbertson 2<sup>nd</sup> Addition in the amount of \$370,709.63 to Riley Bros. Construction, Inc.
9. Approval of travel for TEC Manager Guy Swenson to attend the 2016 COOPER Power Conference-Oct. 25-26, 2016.
10. Approval of travel for TEC Manager Guy Swenson to attend the MRES Technology Conference-Sept. 20-21, 2016.
11. Approval of pay estimate #5 for Whiskey Creek Restoration Project in the amount of \$141,253.32 to Hough, Inc. and approval of Change Order #3 in the amount of \$10,463.00.

Mayor Prim stated the next item on the agenda was the board and commission reports. Council members reported on the boards and commissions 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.

Ms. Gina Ernst approached council members and stated that she is looking at starting a day care in her home and questioned about a possible sex offender residing in her neighborhood. Ms. Ernst was wondering what the city could do to help the citizens of Barnesville in this type of instances. Police Chief Dean Ernst stated that the State handles cases when a sex offender is released from jail or prison. Council member Strom asked when will the police department find out what level a sex offender is. Mayor Prim stated that this will be monitored.

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

Mayor Prim stated the next item on the agenda was the Change Order #2 for the Del Acres Gilbertson 2<sup>nd</sup> Addition.

Mayor Prim stated that this is a change order to the storm sewer to facilitate rear yard drainage along the western edge of the subdivision for the Del Acres Gilbertson 2<sup>nd</sup> Addition. Personnel and Finance Committee recommend to approve this change order in the amount of \$15,742.00.

**07-11-16-03** Motion by Mr. Rick and second by Mr. Davis to approve the Change Order #2 in the amount of \$15,742.00 for the Del Acres Gilbertson 2<sup>nd</sup> Addition. Motion carried.

Mayor Prim stated the next item on the agenda was the bids for the multi-use path along State Highway 34.

Mr. Jon Pauna with KLJ Engineering discussed the bids received earlier for the trail project connecting Blue Eagle Lake with the corner where Tesoro Station. Mr. Pauna stated that three bids were received, and the lowest bidder was Hough, Inc. from Detroit Lakes in the amount of \$80,717.84 and the alternate bid in the amount of \$27,881.50.

**07-11-16-04** 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, Goedtke, Strom, Davis, Stuvland and Field. The following voted nay: none. Motion carried.

CITY OF BARNESVILLE  
COUNTY OF CLAY  
STATE OF MINNESOTA  
RESOLUTION NO. 07-11-16-04

RESOLUTION OF THE CITY OF BARNESVILLE  
CITY COUNCIL

WHEREAS, the federal government has developed and passed a new transportation bill referred to as MAP-21 that establishes a consolidated program called the Transportation Alternatives Program (TAP) that provides funding for a variety of alternative transportation projects; and

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

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

THEREFORE BE IT RESOLVED, the City of Barnesville that bids were received and opened, and the low bidder from Hough, Inc. from Detroit Lakes, MN is the lowest bidder in the amount of \$80,717.84, and Alternate bid in the amount of \$27,881.50 be approved by the City Council of Barnesville.

Adopted this 11th day of July, 2016.

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Eugene Prim, Mayor

Attest:

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Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the Administrative Contract with the Clay County HRA.

Ms. Dara Lee with the Clay County HRA next approached the council and explained the items necessary for council approval for the Small Cities Development Program. These items are required by the State to participate in the Program. Ms. Lee stated the first item necessary was the approval of the contract with the Clay County HRA.

**07-11-16-05** Motion by Mr. Field and second by Mr. Rick to approve the Administrative Contract with Clay County HRA. Motion carried.

Ms. Dara Lee stated the next item needing approval was the Commercial SCDP Rehab Program Policy and Procedural guide and the Owner Occupied SCDP Rehab Program policy and procedural guide.

**07-11-16-06** Motion by Mr. Field and second by Mr. Goedtke to approve the Commercial SCDP Rehab Program Policy and Procedural guide and the Owner Occupied SCDP Rehab Program policy and procedural guide. Motion carried.

Ms. Lee stated the next item needing approval was the Anti-displacement and relocation plan resolution.

**07-11-16-07** Motion by Mr. Davis and second by Mr. Goedtke 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 OF ADOPTION**

Residential Anti-displacement and Relocation  
Assistance Plan for Grantees of the Small  
Cities Development Program

**Be it resolved that the City of Barnesville hereby adopts the Residential Antidisplacement and Relocation Assistance Plan for the City of Barnesville:**

The City of Barnesville anticipates participating in the Minnesota Small Cities Development Program. The consequence of participation is that the potential for displacement exists. The purpose of the Residential Antidisplacement and Relocation Assistance Plan is to describe the steps the City of Barnesville shall take to mitigate the adverse effects of displacement on low and moderate-income persons.

A. The City of Barnesville will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to use other than as low/moderate-income housing in connection with an activity assisted with CDBG or HOME funds in accordance with 24 CFR 42.375.. Before entering into a contract committing the City of Barnesville to provide funds for an activity that will directly result in such demolition or conversion, the City of Barnesville will make public HOW and submit to the HUD Field Office and the Minnesota Department of Employment and Economic Development the following information in writing:

1. A description of the proposed assisted activity;
2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activities;

3. A time schedule for the commencement and completion of the demolition or conversions;
4. The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data are not available at the time of the general submission, the City of Barnesville will identify the general location on an area map and the approximate number of dwelling units by size and provide information identifying the specific location and number of dwelling units by size shall be submitted and disclosed to the public as soon as possible;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the housing needs of low and moderate-income households in the City of Barnesville.

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City of Barnesville will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

The City of Barnesville may request the Minnesota Department of Employment and Economic Development to recommend that the U. S. Department of Housing and Urban Development approve an exception to required replacement housing if there is an adequate local supply of vacant low/moderate-income dwelling units in standard condition on a non-discriminatory basis. Exceptions will be reviewed on a case-by-case basis as described in 24 CFR, Part 42.375(d)).

- B. The City of Barnesville will provide relocation assistance to any lower-income person who, in connection with an activity assisted under the CDBG or HOME program, move permanently or move person property from real property as a direct result of the demolition of any dwelling unit or the conversion of a low/moderate-income dwelling unit in accordance with the requirements of 24 CFR 42.350.. A displaced person who is not a lower-income tenant will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.
- C. Consistent with the goals and objectives of activities assisted under the Act, the City of Barnesville will take the following steps to minimize

displacement from their homes:

1. Establish procedures for relocation, tailored to funded activities, that follow Section 104(d) of the Housing and Community Development Act and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).
2. Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
3. If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are lower-income dwelling units or structures that have not been used for residential purposes).
4. Target only those properties deemed essential to the need or success of the project.
5. Inform applicant owners of buildings with tenants of the need to minimize displacement and of their responsibility to inform their tenants of their intent to minimize displacement during rehabilitation, as much as possible.
6. Stage rehabilitation of residential rental units to allow tenants to remain in the building, complex or general geographic area during the rehabilitation, working with empty, standard-condition units first, if possible.
7. For public facility activities, schedule utility interruptions so they are as minimally disruptive as possible.

D. Definitions for the purposes of this plan are as follows:

A "low/moderate-income dwelling unit" is a unit with a market rent, including utility costs, that does not exceed the applicable fair market rent for existing housing and moderate rehabilitation, as established under the HUD Section 8 existing housing program.

A "vacant occupiable dwelling unit" is a vacant unit that is in standard condition; or in substandard but suitable for rehabilitation condition; or in dilapidated condition and occupied less than three months from the date of the grantee agreement.

An "occupiable dwelling unit" is a unit that is in standard condition or has been raised to a

standard condition from a substandard condition, suitable for rehabilitation.

A "Standard Condition" dwelling unit is a unit which meets HUD Section 8 Housing Quality Standards (HQS) with no major defects in the structure and only minor maintenance is required. Such a dwelling will have the following characteristics: reliable roofs, sound foundations; adequate and stable floors, walls and ceilings; surfaces and woodwork that are not seriously damaged nor have paint deterioration; sound windows and doors; adequate heating, plumbing, and electrical systems adequate insulation; and adequate water and sewer systems, and not overcrowded (defined as more than one person per room).

A "Substandard Condition" dwelling unit is a unit if it does not meet HUD Section 8 Housing Quality Standards (HQS) which includes lacking the following: complete plumbing, complete kitchen facilities, efficient and environmentally sound sewage removal and water supply, and heating source. In addition, the dwelling may be overcrowded (defined as more than one person per room).

A "Substandard but Suitable for Rehabilitation Condition" dwelling unit, at a minimum, is a dwelling unit that does not meet Housing Quality Standards (HQS) with some of the same features as a "substandard condition" dwelling unit. This unit is likely to have deferred maintenance and may have some structural damage such as a leaking roof, deteriorated interior surfaces, and inadequate insulation. A "substandard but suitable" dwelling unit, however, has basic infrastructure (including systems for clean water and adequate waste disposal) that allows for economically and physically feasible improvements and upon completion of rehabilitation meets the definition of a "Standard" dwelling unit.

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

APPROVED:

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Eugene Prim, Mayor

ATTEST:

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Jeri Reep, City Clerk

Ms. Lee stated that one motion would be necessary for approval of the prohibition of excessive force policy, certification of a Drug Free workplace, SCDP income reuse plan, City of Barnesville Section 3 Plan, certificate of categorical exclusion environmental activities for SCDP funded projects, and request for release of funds and certification.

**07-11-16-08** Motion by Mr. Davis and second by Mr. Goedtke to approve the prohibition of excessive force policy, certification of a Drug Free workplace, SCDP income reuse plan, City of Barnesville Section 3 Plan, certificate of categorical exclusion environmental activities for SCDP funded projects, and request for release of funds and certification as presented. Motion carried.

Ms. Lee stated that the appointment of a resident to the Property Selection Committee and appointment of a resident to the Property Selection Committee was not necessary since the Clay County HRA will be handling these items.

Mayor Prim stated the next item on the agenda was the rental of People Movers for Potato Days.

EDA Director Karen Lauer stated that Potato Days is seeking to replace the trolley that they normally use with People Movers that they will be getting from Peterson Seed. Main Street Director Bailey Holzbauer has a contact with Peterson Seed.

**07-11-16-09** Motion by Mr. Rick and second by Mrs. Strom to approve the rental of People Movers for Potato Days, with any cost being covered by Potato Days. Motion carried.

Mayor Prim stated the next item on the agenda was the discussion on the building code requirements for the moved building at 508 6<sup>th</sup> Street NW.

Mayor Prim stated that Building Inspector Sid Fossan, the homeowner, and a local contractor have met and have their contact information. Mr. Prim stated that this item will be discussed at the property maintenance meeting on Wednesday.

Mayor Prim stated the next item on the agenda was the priority setting discussion follow-up. Council members discussed the 13<sup>th</sup> Street and how to proceed with this item.

Mayor Prim stated the next item on the agenda was the Sportsman Channel contract renewal.

TEC Manager Guy Swenson stated that the new Sportsman Channel agreement that there is no change to the rate for 2016 and a slight increase over the next 5 years. The term of the new agreement will be 5 years, January 1, 2017 to December 31, 2021.

**07-11-16-10** Motion by Mrs. Strom and second by Mr. Rick to approve and authorize TEC Manger Guy Swenson to execute the Sportsman Channel renewal. Motion carried.



Mayor Prim stated the next item on the agenda was the Trinity Broadcasting Network renewal.

TEC Manager Guy Swenson informed council members that Trinity Broadcasting Network agreement expired in 2012. Since this time, we have been operating on a NCTC temporary agreement. This new agreement has a term of 5 years ending December 31, 2020, and there is no cost to have this channel.

**07-11-16-11** Motion by Mrs. Strom and second by Mr. Goedtke to approve the Trinity Broadcasting Network for a 5-year agreement, ending December 31, 2020. Motion carried.

Mayor Prim stated the next item on the agenda was the 2016 High Speed Internet speed increase Resolution.

TEC Manager Guy Swenson stated that the TEC Board has discussed changing the internet packages without changing the package pricing. The board decided to recommend to council to approve the internet speed changes and no change in price and discontinue offering the Bronze package.

**07-11-16-12** Motion by Rick and second by Mrs. Strom to approve the 2016 high speed internet speeds 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. 07-11-16-12**  
**RESOLUTION SETTING 2016 HIGH SPEED INTERNET SPEEDS**

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

WHEREAS, the City of Barnesville, has received and reviewed the 2016 High Speed Internet Rates; and

WHEREAS, the 2016 High Speed Internet Rates are as follows:

Section 1. Costs for High Speed Internet service

	MONTHLY COSTS		SPEEDS	
	High Speed Internet/DSL		Down speed	Up speed
1.	<del>\$24.95</del>	<del>(Bronze)*</del>	<del>up to 128 kbps</del>	<del>up to 128 kbps</del>
<u>Discontinue offering the Bronze level of service as of August 18, 2016 – grandfather and continue support of current Bronze subscribers.</u>				
2.	<del>\$36.95</del>	<del>(Silver)</del>	<del>up to 6 Megbps</del>	<del>up to 1.5 Megbps</del>
2.	<del>\$36.95</del>	<del>(Silver)</del>	<del>up to 10 Megbps</del>	<del>up to 10 Megbps</del>
3.	<del>\$52.95</del>	<del>(Gold)</del>	<del>up to 10 Megbps</del>	<del>up to 2 Megbps</del>
3.	<del>\$52.95</del>	<del>(Gold)</del>	<del>up to 20 Megbps</del>	<del>up to 20 Megbps</del>
4.	<del>\$69.95</del>	<del>(Platinum)</del>	<del>up to 20 Megbps</del>	<del>up to 2 Megbps</del>
4.	<del>\$69.95</del>	<del>(Platinum)</del>	<del>up to 30 Megbps</del>	<del>up to 30 Megbps</del>

5.	\$109.95	Business 1	up to 40 Megbps	up to 4
<u>Megbps</u>				
5.	\$109.95	Business 1	up to 40 Megbps	up to 40
<u>Megbps</u>				
6.	\$129.95	Business 2	up to 50 Megbps	up to 5
<u>Megbps</u>				
6.	\$129.95	Business 2	up to 50 Megbps	up to 50
<u>Megbps</u>				
7.	\$259.95	Business 3	up to 50 Megbps	up to 10
<u>Megbps</u>				
7.	\$259.95	Business 3	up to 60 Megbps	up to 60
<u>Megbps</u>				
8.	\$389.95	Business 4	up to 100 Megbps	up to 20
<u>Megbps</u>				
8.	\$389.95	Business 4	up to 1 Gigbps	up to 1
<u>Gigbps</u>				

NOW, THEREFORE, BE IT RESOLVED, that the High Speed Internet Rates are hereby adopted by the City Council.

BE IT FURTHER RESOLVED that the approved High Speed Internet will remain in effect until otherwise amended by resolution of the City Council.

BE IT FURTHER RESOLVED that this resolution will be effective August 18, 2016.

Dated: July 11, 2016

APPROVED:

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Eugene Prim, Mayor

ATTEST:

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Michael Rietz, City Administrator

Mayor Prim stated the next item on the agenda was the resolution to appoint election judges.

City Clerk Jeri Reep stated that this resolution is for the Primary and General Elections.

**07-11-16-13** 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, Goedtke, Strom, Davis, Stuvland, and Field. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE  
CLAY COUNTY, MINNESOTA**

**RESOLUTION NO.**

**CITY OF BARNESVILLE OF CLAY COUNTY, MINNESOTA  
APPOINTING ELECTION JUDGES  
FOR THE ELECTION OF  
AUGUST 9, 2016 AND NOVEMBER 8, 2016**

WHEREAS: a Primary Election will be held on August 9 ,2016, and a General Election will be held on November 8, 2016 and

WHEREAS: MN Statute 204B, subd. 2, requires election judges for precincts in a Municipality be appointed by the governing body of the municipality; and

WHEREAS: the City of Barnesville has one voting precinct; and

WHEREAS: the following City of Barnesville residents have agreed to serve as election Judges and have met the qualifications established by the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the City of Barnesville hereby appoints the following persons to serve as election judges for the Primary and General Election of 2016, with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party splits.

Judges: Darlene Erickson, Maggie Willard, Carolyn Gabel, Mary Ann Scheffler,  
Betty Bodine, Janna Cayler, Cheryl Harris, Dar Hines,  
Betty Ishaug, Karen Prim and Joan Kritzberger

Adopted by the City Council of the City of Barnesville this 11th day of July, 2016.

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Eugene Prim  
Mayor

Attest:

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Jeri Reep  
City Clerk

Mayor Prim stated the next item on the agenda was the Blue Eagle Lake discussion. Mayor Prim stated that the discussion on the removal of the diving platform at Blue Eagle Lake should have gone to a committee prior to the City Council action at last month's meeting. Mayor Prim questioned if there has been a decrease in use since the diving platform has been removed. Mayor Prim would like to see something offered to the kids at the lake.

Mayor Prim stated that the next item on the agenda was the Clay County Joint Local Governing Board meeting. Mayor Prim encouraged council members to attend.

Mayor Prim next called on Ambulance Manger Scott Nelson. Mr. Nelson went thru his ambulance report that was included in the agenda packet. Mr. Nelson stated that he had just received word that the Ambulance Dept. had been awarded a grant from American Crystal.

Mayor Prim adjourned the meeting at 7:51 p.m.

Submitted by:

Attest:

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Jeri Reep  
City Clerk

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Eugene Prim  
Mayor