

Barnesville City Council
Regular Meeting
July 9, 2018

Mayor Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Don Goedtke, Betty Strom, David Brown, Scott Bauer, Tonya Stokka and Brad Field. Others in attendance were City Administrator Mike Rietz, Michael Sly with Ohnstad Twitchell, City Clerk Jeri Reep, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Finance Director Laurie Schell, Public Works Supt. Trevor Moen, Ambulance Manager Scott Nelson, Scott Kolbinger with KLJ Engineering, Tom McSparron with West Central Initiative, EDA intern Isaac Olson, Mark Thimjon, Shane Raw, and Michael Stein with the Record Review.

Mayor Prim asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated that the only addition was the hiring of Jacob Anderson as seasonal Golf Course employee.

07-09-18-01 Motion by Mrs. Stokka and second by Mr. Goedtke to approve the agenda with the addition of approval to hire Jacob Anderson as Golf Course employee. Motion carried.

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

07-09-18-02 Motion by Mr. Goedtke and second by Mr. Brown to approve the consent agenda. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on June 11, 2018.
2. Approval of the department head reports.
3. Approval of check numbers 85178-85284 and EFT payments for a total of \$877,731.93.
4. Approval of 2nd quarter transfers.
5. Approval of a wage adjustment for Liquor Store Clerk Lindsay Johnson of \$11.15 per hour.
6. Approval to hire Kevin Herr as Pro-Shop Manger at \$14.50 per hour.
7. Approval of appointment of Scott Bauer to EDA Board, and appointment of David Brown to the Streets & Parks and Wastewater portfolio, and Development Control Board.
8. Approval to hire Jacob Anderson as seasonal Golf Course employee at \$10.00 per hour.

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. There were none.

Mayor Prim stated the next item on the agenda was the West Central Initiative presentation.

Mr. Tom McSparron with West Central Initiative next discussed with council members the projects assisted by the West Central Initiative. Their program serves residents in a nine-county region. West Central Initiative was looking for council support for the next five years beginning in 2019 and fulfilled in 2023.

07-09-18-03 Motion by Mr. Field and second by Mrs. Stokka to approve the donation of \$1600.00 per year for the next five years to the West Central Initiative. Motion carried.

Mayor Prim stated the next item on the agenda was the report on the property at 508 6th Street NW.

Mayor Prim stated that a lot of items have not been completed for this property. Currently there is not a certificate of occupancy issued for this home, there is no water or sewer connected, a building permit has not been issued, and there has been no progress in improvements for this property.

07-09-18-04 Motion by Mr. Field and second by Mrs. Strom to refer the CUP at 508 6th Street NW to the Planning Commission to rescind the CUP for this property. Motion carried.

Mayor Prim stated the next item on the agenda was the discussion regarding the possible street vacation for the School District.

City Administrator Mike Rietz informed council members that the Police, Fire and Ambulance committee met with officials from the School, along with the Fire Chief, Police Chief and Ambulance Director regarding the possible closing of one block of 4th Street SE and one block of 5th Street SE for the School District. There were two things that were discussed as methods to improve the situation if both streets were to be closed. The addition of a path on the east side of the Elementary School between 3rd Ave SE and 5th Ave SE that could be used by bikes and pedestrians and by emergency vehicles as necessary. The other was the elimination of parking on 3rd Street SE along the school side of the street.

07-09-18-05 Motion by Mr. Field and second by Mr. Goedtke to set a public hearing on July 31st at 7:00 p.m. to vacate the one block of 4th Street SE and one block of 5th Street SE. Council member Field and Council member Goedtke amended their motion to set the public hearing for Monday, July 30, 2018. Motion carried.

Mayor Prim stated the next item on the agenda was the geotechnical proposals for the Waste water treatment facility.

Mr. Scott Kolbinger with KLJ Engineering next discussed the geotechnical service proposals received. Three proposals were received. Braun Intertec in the amount of \$10,246.60, Northern Technologies in the amount of \$18,050.00, and Terracon in the amount of \$15,000.00. Mr. Kolbinger stated that their recommendation is Braun Intertec.

07-09-18-06 Motion by Mr. Bauer and second by Mr. Goedtke to approve the proposal from Braun Intertec in the amount of \$10,246.60. Motion carried.

Mayor Prim stated the next item on the agenda was the Conditional Use Permit for the Planned Unit Development in the Commercial Park.

City Administrator Mike Rietz stated that the EDA has submitted a CUP application for a Planned Development in the Commercial Park. The Planning Commission recommends approval of the CUP, with conditions.

07-09-18-07 Motion by Mrs. Strom and second by Mrs. Stokka to approve the CUP from the Barnesville EDA for a Planned Development in the Commercial Park, with conditions set forth in the CUP. Motion carried.

Mayor Prim stated the next item on the agenda was the preliminary and final plats for the Barnesville Commercial Park 4th Addition.

City Administrator Mike Rietz stated that this is the preliminary and final plats for the Planned Unit Development in the Commercial Park 4th Addition. The Planning Commission is recommending approval of the plats.

07-09-18-08 Motion by Mrs. Strom and second by Mr. Goedtke to approve the preliminary and final plats for the Planned Unit Development in the Commercial Park 4th Addition. Motion carried.

Mayor Prim stated the next item on the agenda was the resolution declaring adequacy of petition and ordering preparation of report for the Barnesville Commercial Park 4th Addition.

City Administrator Mike Rietz informed council members that the EDA has submitted a petition asking the City to install the sewer and water in their proposed Commercial Condo project. The estimated cost is \$70,000.00. The pavement improvements would be funded by the EDA and estimated at \$55,000.00. This project would be in the spring of 2019. The Personnel and Finance portfolio recommend approval of this resolution.

07-09-18-09 Motion by Mrs. Strom and second by Mrs. Stokka to approve the resolution declaring adequacy of petition and ordering preparation of report for the EDA Commercial condo project. Upon a roll call vote, the following voted aye: council members Stokka, Goedtke, Strom, Bauer, Brown and Field. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 07-09-18-09

Resolution Declaring Adequacy of Petition and Ordering Preparation of Report

BE IT RESOLVED BY THE CITY COUNCIL OF Barnesville, Minnesota:

1. A certain petition requesting the installation of water and sanitary sewer to a parcel South of 4th Ave. NE located in the West 190 feet of Block 1, Lot 4 Barnesville Commercial Park 3rd Addition, filed with the council July 9, 2018, is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minn. Stat. § 429.035.
2. The petition for proposed Improvement No. 2019-01 is hereby referred to Scott Kolbinger with KLJ and that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the council this 9th day of July, 2018.

Eugene Prim, Mayor

Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the acoustic evaluation proposals.

City Administrator Mike Rietz stated that he received three proposals for the Acoustical Evaluation Grant project. The Liquor, Buildings and Ordinance Committee is recommending hiring MacDonald and Mack to conduct the Acoustic Evaluation of the Old Opera House space currently occupied by Stoneridge Software. The project fee is \$10,000.00, with a completion date of January 15, 2019.

07-09-18-10 Motion by Mrs. Strom and second by Mrs. Stokka to authorize hiring of MacDonald and Mack in the amount of \$10,000.00 to conduct the Acoustic Evaluation of the Old Opera House at Old City Hall. Motion carried.

Mayor Prim stated the next item on the agenda was the Small Cities program update.

EDA Director Karen Lauer updated council members on the Small Cities program. Mrs. Lauer stated that she is working with 13 homeowners. Seven Owner Occupied Rehabilitation projects have been completed. Projects completed to date have received improvements such as new roofs, windows, doors HVAC improvements, siding, brick and foundation repair. The deadline to use both commercial and owner-occupied funds is September 2019. Council members had no questions for Mrs. Lauer.

Mayor Prim stated the next item on the agenda was the 1st reading of Ordinance 2018-03.

City Administrator Mike Rietz stated that this Ordinance increased the surcharge for failure to allow access to a meter to \$250.00 after 3 months of being charge the \$50.00 surcharge. The Public Works Committee is recommending approval of this Ordinance.

07-09-18-11 Motion by Mrs. Stokka and second by Mr. Bauer to approve the 1st reading of Ordinance 2018-03. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2018-03**

**AN ORDINANCE AMENDING CHAPTER 2-01, SECTION 2-0104 AND CHAPTER 8-01,
SEC. 2-0104 OF THE MUNICIPAL CODE REGARDING A FEE TO BE CHARGED BY
THE CITY OF BARNESVILLE FOR FAILURE TO PROVIDE ACCESS TO A UTILITY
METER WITHIN 30 DAYS.**

WHEREAS, the City of Barnesville provides water, sewer and electric services and uses metering as a way to measure usage and determine what to charge for the services provided; and

WHEREAS, the City of Barnesville has the right to access these meters for maintenance, upgrades and to obtain readings; and

WHEREAS, the Barnesville City Charter and Minnesota Statutes permit the establishment of fees for services performed by the City of Barnesville,

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

CHAPTER 2-01, SECTION 2-0104, Subd. 7 is repealed and recreated as follows:

Right of Entry. By applying for, or receiving, a municipal utility service, a customer irrevocably consents and agrees that any City employee acting within the course and scope of his/her employment may enter into and upon the private property of the customer, including dwellings and other buildings, at all reasonable times under the circumstances, in or upon which private property a municipal utility, or connection therewith, is installed, for the purpose of inspecting, repairing, reading meters, connecting or disconnecting the municipal utility service. Failure to allow entry to a city employee onto private property for the above stated purposes within 30 days of the City's initial request to do so shall result in a \$50 surcharge being placed on the customer's utility bill each month until access is granted and the required task accomplished. After being billed the \$50 surcharge for 3 months, if the property owner continues to fail to allow entry for the above stated purposes, the surcharge shall increase to \$250 until access is granted and the required task is accomplished.

CHAPTER 8-01, SECTION 2-0104, Rules and Regulations Relating to Municipal Utilities Is Amended to include:

Subd. 7, Right of Entry. Failure to allow entry to a city employee onto private property for the above stated purposes within 30 days of the City's initial request to do so shall result in a \$50 surcharge being placed on the customer's utility bill each month until access is granted and the required task accomplished. After being billed the \$50 surcharge for 3 months, if the property owner continues to fail to allow entry for the above stated purposes, the surcharge shall increase to \$250 until access is granted and the required task is accomplished.

PASSED AND ADOPTED by the Barnesville City Council this ___ day of _____, 2018.

APPROVED:

Eugene Prim, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: July 9, 2018
Second Reading: August 13, 2018
Adopted: August 13, 2018
Publication: August 20, 2018

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

07-09-18-12 Motion by Mr. Brown and second by Mr. Goedtke to approve the Resolution appointing election judges. Upon a roll call vote, the following voted aye: council members Stokka, Goedtke, Strom, Bauer, Brown and Field. The following were absent: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 07-09-18-12

**CITY OF BARNESVILLE OF CLAY COUNTY, MINNESOTA
APPOINTING ELECTION JUDGES
FOR THE ELECTION OF
AUGUST 14, 2018 AND NOVEMBER 6, 2018**

WHEREAS: a Primary Election will be held on August 14, 2018 and a General Election will be held on November 6, 2018; 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 2018, 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, Marlene Schell, Betty Ishaug, Karen Prim and Joan Kritzberger, Judy Friesen, Mary Iverson and head judge Jeri Reep.

Adopted by the City Council of the City of Barnesville this 9th day of July, 2018.

Eugene Prim
Mayor

Attest:

Jeri Reep
City Clerk

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

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor