

Barnesville City Council
Regular Meeting
September 12, 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 Administrator Mike Rietz, Sara Nyhus-Wear with Ohnstad Twitchell, City Clerk Jeri Reep, 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, Ambulance Manger Scott Nelson, Jon Pauna with KLJ Engineering, and Pam Aakre with the Record Review.

Mayor Prim next asked if there were any addition or corrections to the agenda. City Administrator Mike Rietz stated the only addition was the City Engineer update, and to let council members know about the League of MN Cities regional meeting.

09-12-16-01 Motion by Mr. Rick and second by Mr. Goedtke to approve the agenda, with the addition of the City Engineer update, and the League of Minnesota Cities regional meeting. Motion carried.

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

09-12-16-02 Motion by Mr. Rick 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 August 8, 2016.
2. Approval of the department head reports.
3. Approval of the monthly expenditures in the amount of \$557,065.90 and EFT's in the amount of \$342,328.66.
4. Approval of the 2016-2017 MMUA Safety Management Program.
5. Approval of the resignation of Liquor Store Clerk Robert Troy.
6. Approval of the resignation of TEC Assistant/Payable Clerk Diane Hanson.
7. Approval to Not Waive Liability limits on LMCIT Liability coverage.
8. Approval of pay request #3 to Riley Bros. Construction in the amount of \$343,629.91.
9. Approval of gambling permit for the Barnesville Rod & Gun-August 27, 2016.

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 2017 preliminary levy resolution.

City Administrator Mike Rietz discussed the 2017 preliminary budget. Mr. Rietz stated that the preliminary budget resolution and levy resolution need to be approved by September 30, 2016. The tax levy may decrease, but it cannot increase above the proposed amount. This proposed budget is a 9.98% increase over 2016. Mr. Rietz stated that the health insurance rates will not be known until October. Mr. Rietz stated that the Personnel and Finance portfolio are targeting a 5% to 6% increase. Mr. Rietz stated that the City is making transfers according to City Ordinance.

09-12-16-03 Motion by Mr. Field and second by Mr. Goedtke to approve the 2017 preliminary levy 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.

2017 LEVY RESOLUTION – PRELIMINARY
 CITY OF BARNESVILLE
 COUNTY OF CLAY
 STATE OF MINNESOTA
 RESOLUTION NO. 09-12-16-03

BE IT RESOLVED, That the following sums be, and hereby are levied upon the taxable property in the City of Barnesville, County of Clay, State of Minnesota for payable in the year 2017, for the following purposes to-wit:

	FINAL	PRELIM
	2016	2017
General Fund - General	252,595	273,500
General Fund - Police/Amb	0	0
General Fund - Admin	0	0
General Fund - Parks	323,900	368,373
General Fund - Streets	0	0
General Fund - Ambulance	45,000	45,000
Total Levy for Operations	<u>621,495</u>	<u>686,873</u>
2010A GO Bond Refinanced (Fund 315)	0	30,000
2005A/2012 GO Bond Debt Service (Fund 312)	0	0
2013-1 INFRA IMPROVE DIST (Fund 317)	6,203	7,500
2006/2012Del Acres Gilbertson Pre-Levy (Fund 314)	32,825	5,175
2011/2012 CSAH (Fund 316)	31,000	31,000

Total Levy for Debt	70,028	73,675
TOTAL LEVY	691,523	760,548
Before Tax Capacity	105.00%	109.98%
After Tax Capacity	5.00%	9.98%

Adopted this 12th day of September, 2016

Approved this 12th day of September, 2016

FINAL NUMBER FOR
BUDGET
RESOLUTION
9,516,785

Eugene Prim
Mayor

ATTEST:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2017 preliminary budget resolution.

09-12-16-04 Motion by Mr. Rick and second by Mrs. Stuvland to approve the 2017 budget 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
PRELIMINARY 2017 BUDGET
RESOLUTION 09-12-16-04

BE IT RESOLVED that the City of Barnesville, Minnesota is required to maintain a budget for its fiscal operations.

BE IT FURTHER RESOLVED that the City of Barnesville, Minnesota has the legal authority to use its taxation authorities to levy necessary funds to operate the city.

BE IT FURTHER RESOLVED that the City of Barnesville, Minnesota is continually monitoring its budget and develops a fiscal budget based on the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Barnesville that 2017 Preliminary Budget be adopted.

I. 2017 Budget \$9,516,785

Adopted this 12th day of September, 2016

Approved this 12th day of September, 2016

Eugene Prim
Mayor

Attest:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the City Engineer update.

Mr. Jon Pauna with KLJ Engineering next discussed the Del Acres Gilbertson 2nd Addition. Mr. Pauna stated that he has talked with Riley Brothers, and informed Riley Brothers that the completion date has passed. Mr. Pauna stated that the trail project will take about a month for completion, and that Hough, Inc. from Detroit Lakes is working on this project. Council members had no further questions for Mr. Pauna.

Mayor Prim stated the next item on the agenda was the development agreement with the EDA for the Del Acres Gilbertson 2nd Addition.

City Administrator Mike Rietz informed council members that this agreement sets the amount of each lot sale that will be allocated to repay the City for development expenses that it funded for the project. The repayment of the Xcel Energy Development fee is set at an amount that will allow it to be fully repaid after about 20 lot sales.

09-12-16-05 Motion by Mr. Davis and second by Mrs. Stuvland to approve the Development Agreement with the EDA for the Del Acres Gilbertson 2nd Addition. Motion carried.

Mayor Prim stated the next item on the agenda was the existing home incentive program.

EDA Director Karen Lauer informed council members that the \$500.00 utility credit incentive program for the purchase of existing home continues to be a very important part of the EDA's promotion. The EDA Board of Directors is requesting that the City Council amend the program to be effective the entire year.

09-12-16-06 Motion by Mr. Field and second by Mr. Goedtke to amend the Existing Home Incentive Program to include that this program will be effective the entire year. Motion carried.

Mayor Prim stated the next item on the agenda was the 2-year property tax rebate for new construction.

City Administrator Mike Rietz informed council members that the EDA Board of Directors took action to recommend to the City Council and the School Board to extend the 2-year property tax rebate for new construction or an additional two years, through December 31, 2018. This program is important to maintain Barnesville's competitiveness as a residential choice. With the City's investment in land and infrastructure in the Del Acres Gilbertson 2nd Addition, the EDA believes that it is critical that the 2-year property tax rebate for new home construction be extended.

09-12-16-07 Motion by Mr. Rick and second by Mrs. Stuvland to approve the 2-year property tax rebate for new construction. Motion carried.

Mayor Prim stated the next item on the agenda was the variance and CUP for a directory sign in the Commercial Park.

City Administrator Mike Rietz stated that the EDA is looking at putting up a directory sign at the entrance to the Commercial Park. The City Code allows freestanding business sign to be a maximum of 100 square feet, and the code does not address the directory signs. The Planning Commission is recommending a 30 square ft. variance to accommodate the sign. The CUP is required for all illuminated signs in the community. This sign will be lit by external, ground mounted light fixtures that are typical in the community. The light will be directed onto the sign in a way that no direct rays of light will shine on adjacent property or public right-of-way.

09-12-16-08 Motion by Mr. Davis and second by Mr. Field to approve the variance and CUP for the Barnesville EDA to erect a directory sign for Lot 1, Block 2, Barnesville Commercial Park, with conditions. The following voted aye: Council members Goedtke, Strom, Davis, Stuvland and Field. The following voted nay: None. Council member Rick abstained from the vote due to the location of his business. Motion carried.

Mayor Prim stated the next item on the agenda was the 1st reading of Ordinance 2016-06, an ordinance regarding changes to Public Facilities District.

09-12-16-09 Motion by Mr. Rick and second by Mr. Goedtke to approve the 1st reading of Ordinance 2016-06. An Ordinance relating to project review in the public facilities district. Motion carried.

ORDINANCE NO. 2016-06

AN ORDINANCE TO AMEND AND REENACT SECTION 7-0212, SUBD. 2-5 OF THE BARNESVILLE CITY CODE RELATING TO PROJECT REVIEW IN THE PUBLIC FACILITIES DISTRICT.

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

SECTION 1. Subd. 2-5 of Section 7-0212 of the Barnesville City Code is hereby amended and reenacted to read as follows:

SEC. 7-0212. P PUBLIC FACILITIES DISTRICT.

* * *

Subd. 2. Permitted Uses.

- A. Essential Services and essential service structures.
- B. Municipally owned parks and open space.
- C. Municipally owned golf courses, tennis courts, skating rinks and playing fields.
- D. Public preschool, elementary, junior or senior high schools.
- E. Libraries, city offices, community centers, public parking lots and fire stations.

Subd. 3. Project Review. The Planning Commission will review all initial development plans within the Public Facilities District at the time the property is requested to be rezoned. Project review of all other subsequent construction will occur for projects that require a building permit and cannot meet the yard requirements in Subd. 4 and 5 of this section. ~~and~~ The

Planning Commission shall determine if the proposed development is consistent with the following factors:

A. Whether the proposed facility is compatible with the area and neighboring uses.

B. Whether the proposed development would create or cause any of the following:

i. An adverse traffic impact of a traffic safety hazard, including, but not limited to, an adverse impact of traffic circulation;

ii. Pedestrian-vehicle conflicts of pedestrian safety hazards;

iii. An accumulation of garbage or trash;

iv. Excessive noise;

v. Intrusive lighting;

vi. Excessive or unpleasant odors;

vii. Noxious fumes;

viii. Interference with neighboring properties or uses due to activities associated with the proposed facility or due to its hours of operations.

C. The use shall comply with the performance standards of the fencing and screening provisions of this Chapter.

D. The use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds, adjacent buildings and property.

E. The use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.

F. The use shall organize vehicular access and parking to minimize traffic.

G. Other similar elements, although not specifically stated in this ordinance.

Subd. 4 Yard Requirements.

A. None, except if the property abuts another zoning district, buildings and other structures must be set back the same distance as is required in the abutting district. Projects that cannot meet these setback requirements must comply with the project review requirements in Subd. 3 of this section.

Subd. 5 Maximum Building Height. None.

A. None, except that structures erected for the purposes of providing lighting that exceed 30 feet in height must comply with the project review requirements in Subd. 3 of this section.

SECTION 2. This Ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

PASSED by the City Council of the City of Barnesville this 10th day of October, 2016.

APPROVED BY:

Eugene Prim, Mayor

ATTEST:

Jeri Reep, City Clerk

| First Consideration: September 12, 2016

| Second Consideration: October 10, 2016

| Date of Publication: October 17, 2016

Mayor Prim state the next item on the agenda was the 1st reading of Ordinance 2016-07. An Ordinance on temporary family health care dwellings.

City Administrator Mike Rietz stated that this ordinance is to opt out of the State Statue regarding temporary family health care dwellings. The new law that the State passed allows temporary housing to be moved onto residential lots in specific circumstances to assist with health care issues. Cities have the ability to opt out at any time. The Planning Commission is recommending that we opt-out of the statue.

09-12-16-10 Motion by Mr. Rick and second by Mrs. Strom to approve the 1st Reading of Ordinance 2016-07. An Ordinance on temporary family health care dwellings. Motion carried.

**ORDINANCE NO. 2016-07
CITY OF BARNESVILLE**

**AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF
MINNESOTA STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

THE CITY COUNCIL OF THE CITY OF BARNESVILLE, ORDAINS as follows:

Section 1. City Code, Section 7-0901 is amended to add Subd. 13 as follows:

OPT-OUT OF MINNESOTA STATUTES, SECTION 462.3593:

SECTION 1. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Barnesville opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

SECTION 2. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this 10th day of October, 2016, by the City Council of the City of Barnesville.

APPROVED BY:

Eugene Prim, Mayor

ATTEST:

Jeri Rep, City Clerk

First Reading:	September 12, 2016
Second Reading:	October 10, 2016
Adopted:	October 10, 2016
Published:	October 17, 2016

Mayor Prim stated the next item on the agenda was the approval of bids for the sewer service replacement at 123 2nd Street NE.

City Administrator Mike Rietz stated that he has asked for bids from contractors to repair the sewer service at 123 2nd St. NE but he has not received any bids at this time. Mr. Rietz stated that he will continue to follow up to try to get some bids for this sewer service replacement.

Mayor Prim stated the next item on the agenda was the financial and utility software discussion.

City Administrator Mike Rietz stated that the current telephone software is becoming obsolete. Six potential software companies were contacted. The focus of the search was to find a software provider that could provide a software that could handle telephone, utility and financial all in one. The TEC Board has reviewed these companies, and recommend software option D. There is a one-time fee of \$154,000.00 with a 10-year agreement. Council member Field stated that the current telephone software is going away. City Administrator Mike Rietz stated that since this is a service provided, that here is no need to accept bids for this.

09-12-16-11 Motion by Mr. Field and second by Mr. Rick to approve the telephone, utility and financial software proposal from Software Option D. One-time fee of \$154,000.00 with a 10-year agreement, with a monthly recurring fee of \$6,500.00 that will be reduced to \$4,400.00 after the 10-year agreement printing not included. Estimate of \$0.32 per bill. Motion carried.

Mayor Prim stated the next item on the agenda was the request to advertise for bids for the Cable TV equipment replacement.

TEC Manager Guy Swenson informed council members that Transparent Video Systems is going out of business and at the very least, will cease to support our Conax digital TV Solution within the next 12 months. TEC Board discussed the options form upgrading the system to converting to another digital solution. TEC Board is recommending to advertise for bids to replace the digital Cable TV system.

09-12-16-12 Motion by Mr. Field and second by Mr. Rick to advertise for bids to replace the digital Cable TV system. Motion carried.

Mayor Prim stated the next item on the agenda was the MMUA Mutual Aid agreement.

TEC Manager Guy Swenson stated that the Federal Emergency Management Agency (FEMA) will not reimburse costs arising from a city or municipal utility assisting another city or utility unless there is a prior, written agreement between the damaged party and the assisting party prior to the occurrence. Without the agreement, we would not be eligible for FEMA funds.

09-12-16-13 Motion by Mr. Rick and second by Mrs. Strom to approve the MMUA Mutual Aid agreement. Motion carried.

Mayor Prim stated the next item on the agenda was the MMUA Mutual Aid resolution.

09-12-16-14 Motion by Mr. Davis and second by Mrs. Strom to approve the MMUA Mutual Aid 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 REGARDING MUTAUL AID ASSISTANCE

RESOLUTION NO. 09-12-16-14

WHEREAS: the City of Barnesville, Minnesota (“City”), operates and maintains a municipal electric utility;

WHEREAS: City wishes to cooperate with other cities which own and operate utility systems and other publicly owned utility organizations (“Publicly Owned Utilities”)

WHEREAS: City is a member of the Minnesota Municipal Utilities Association (“MMUA”) and MMUA has developed a program to encourage and foster mutual aid between and among Publicly Owned Utilities in the event of disasters and emergencies;

WHEREAS: the Federal Emergency Management Agency (“FEMA”) has established a rule which provides that FEMA will reimburse mutual aid costs for a particular disaster or emergency only if mutual aid participants have signed a written agreement prior to that disaster or emergency;

WHEREAS: prudent and appropriate charges should be established from time to time which may be paid to City for its provision of mutual aid services and which may be paid to other Publicly Owned Utilities which may provide mutual aid assistance to City;

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

1. The Mayor is hereby authorized and directed to execute and deliver the MMUA Mutual Aid Agreement (attached hereto) and such other documents and agreements as may be necessary to implement City's participation in the MMUA Mutual Aid Program and to qualify for FEMA reimbursement of mutual aid costs.
2. The managing staff of the City's utility system(s) shall establish reasonable rates for reimbursement of its labor and equipment costs as contemplated in FEMA rules, and periodically revise such rates as necessary.
3. City will provide mutual aid assistance to other Publicly Owned Utilities if management determines (a) that the reliability and performance of City's utility system(s) and the public health and safety of City residents and customers will not be materially and adversely affected, (b) the other Publicly Owned Utility has executed the MMUA Mutual Aid Agreement (or an agreement substantially similar in form and content) and (c) the other Publicly Owned Utility has established rates for reimbursement of City's labor and equipment costs which are reasonably comparable to those established by City.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BARNESVILLE,
MINNESOTA, SEPTEMBER 12, 2016.

APPROVED:

ATTEST:

Eugene Prim, Mayor

Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the priority setting discussion. Mayor Prim stated that a meeting is scheduled to discuss the 13th Street, East City limits road. Mayor Prim stated that this is just a preliminary discussion for this street.

Mayor Prim discussed cleaning up of the entrances to the City.

Mayor Prim stated the next item on the agenda was the ISO public protection classification update. Mayor Prim stated that the City ISO rating went from a 6 to a 5, which this may be reflected in a reduction on homeowner's insurance rates.

Mayor Prim stated that there is a League of Minnesota Cities regional meeting to be held October 12, 2016 in Fergus Falls. If anyone is interested in attending, to let staff know.

Mayor Prim adjourned the meeting at 7:53 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor