

**Barnesville City Council
Regular Meeting
December 8, 2014**

Mayor Gene Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Larry Davis, Jr, Jason Rick, Betty Strom, Don Goedtke, Richard Sylvester and Cathy Enstad. Others in attendance were, City Administrator Mike Rietz, Sara Nyhus-Wear with Ohnstad Twichell, 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, Eric Mueller with People Service, Ambulance Manger Scott Nelson, Josh Kadrmas with Houston Engineering, and Pam Aakre with the Record Review.

Mayor Prim next asked if there were any corrections or additions to the agenda. City Administrator Mike Rietz stated that the following needed to be added to the agenda: Metro Council of Governments Advisory Board appointment and cable rate increase.

12-08-14-01 Motion by Mr. Rick and second by Mrs. Strom to approve the agenda as presented and add the Metro Council of Governments Advisory Board appointment and cable rate increase. Motion carried.

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

12-08-14-02 Motion by Mr. Sylvester and second by Mr. Goedtke to approve the consent agenda, and to remove the approval of the November 26, 2014 minutes. Motion carried. The following items were on the consent agenda.

1. Approval of the minutes of the Regular meeting held on November 10, 2014.
2. Approval of the minutes of the Special meeting held on November 18, 2014.
3. Approval of the Department head reports.
4. Approval of check numbers 78981 – 79140 in the amount of \$631,913.58 and EFT payments in the amount of \$114,295.21.
5. Approval of 2015 cigarette license for the following-Barnesville Grocery, Barnesville C-Store, Farmers Coop General Store, DG Retail, LLC.
6. Approval of the 2015 liquor license for the following-VFW Post 44628, American Legion Post 153, and Ratzos Pool Hall.

Mayor Prim stated the next item on the agenda was the board and commission reports.

Council members reported on the boards and commissions they are on.

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

Mayor Prim stated the next item on the agenda was the Truth-in-Taxation hearing.

12-08-14-03 Motion by Mr. Rick and second by Mr. Goedtke to open the truth in taxation hearing at 7:08 p.m. Motion carried.

City Administrator Mike Rietz informed council members that the proposed levy increase is at 4.7% increase. The rate increase of 0.08% is due to an increase in the tax base. Mr. Rietz stated that our largest revenue is from Local Government Aid. The transfer into the General Fund is \$27,500 more than last year. Mr. Rietz stated that we are transferring 70% of Enterprise net income into the General Fund, which is down from 79% in 2014.

Mayor Prim stated that the household valuations have increased.

Mayor Prim asked if there were any other comments or questions. There were none.

12-08-14-04 Motion by Mr. Davis and second by Mr. Rick to close the public hearing at 7:20 p.m. Motion carried.

Mayor Prim stated the next item on the agenda was the levy resolution.

12-08-14-05 Motion by Mr. Rick and second by Mr. Sylvester to approve the 2015 levy resolution. Upon a roll call vote, the following voted aye: Rick, Goedtke, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 12-08-14-05

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 2015, for the following purposes to-wit:

	ACTUAL	FINAL
	2014	2015
General Fund - General	175,837	180,000
General Fund - Police/Amb	0	0
General Fund - Admin	0	0
General Fund - Parks	329,376	359,771
General Fund - Streets	0	0
General Fund - Ambulance	44,000	52,000
Total Levy for Operations	<u>549,213</u>	<u>591,771</u>
2010A GO Bond Refinanced (Fund 315)	16,160	0
2005A/2012 GO Bond Debt Service (Fund	0	0

312)		
2013-1 INFRA IMPROVE DIST (Fund 317)	0	2,453
2006/2012Del Acres Gilbertson Pre-Levy (Fund 314)	37,861	33,378
2011/2012 CSAH (Fund 316)	25,733	31,000
Total Levy for Debt	<u>79,754</u>	<u>66,831</u>
TOTAL LEVY	<u>628,967</u>	<u>658,602</u>

Before 2015 Tax Capacity	104.71%
After 2015 Tax Capacity	4.71%

Adopted this 8th day of December, 2015

Approved this 8th day of December, 2015

Eugene Prim
Mayor

ATTEST:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2015 budget resolution

12-08-14-06 Motion by Mr. Sylvester and second by Mr. Rick to approve the 2015 budget resolution. Upon a roll call vote, the following voted aye: Rick, Goedtke, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried

CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA
2015 FINAL BUDGET
RESOLUTION 12-08-14-06

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 the 2015 Final Budget be adopted.

2015 Budget \$8,730,338.00

Adopted this 8th day of December, 2014

Approved this 8th day of December, 2014



Eugene Prim
Mayor

Attest:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2015 employee wages. Mayor Prim stated that the Personnel and Finance Portfolio changed the way the raises have been in the past. Mayor Prim stated that all full and part time employees would be receiving an equal raise.

12-08-14-07 Motion by Mr. Davis and second by Mr. Sylvester to approve the 2015 employee wages. Motion carried.

Mike Rietz	43.73	
Jeri Reep	28.13	
Laurie Schell	25.44	
Shana Cihak	20.51	
Diane Hanson	18.65	
Holly Aberle	12.66	
Guy Swenson	31.99	
Laurie Ernst	12.86	
Ryan Beattie	24.55	
Mark Pearson	26.14	
Chris Olson	25.55	
Jeff Tharaldson	24.55	
Dean Ernst	33.40	
Lisa Cook	13.97	
ANIMAL CONTROL	11.00	
Trevor Moen	29.50	
Paul Downing (6/2/2014)	13.65	
VACANT	15.00	
Travis Olson	17.35	
John Iverson	10.41	
Joseph Schindler	9.00	
Part-time mower	9.00	
Shane Durensky	21.34	
Mike Pearson	27.22	
Elliot Goheen	28.73	
Tom Olson	21.75	
Sara Lien	16.23	
Amy Fosse-	9.35	
Kay Waller-	11.45	
Sandy Ystenes-	11.10	
Stacy Brenner	9.00	
Randi Trowbridge	10.40	
Sandra Schmidt	9.70	

Jeri Hirsch -	9.35
Karen Lauer	28.54
Karen Hagen	14.65
Scott Nelson	19.97
EMT Part-time	9.00
Ambulance Volunteer	25.00
Darla Ackerson	11.48
Election Judge	9.00
Summer Temp - Streets	9.00
Rink attendant - Temp	9.00
Summer temp - Parks	9.00
Summer temp - Parks	9.00
Summer temp - Parks	9.00
Rink Attendant	9.00

Mayor Prim stated the next item on the agenda was the engagement letter for the 2014 audit.

City Administrator Mike Rietz stated that this year's engagement letter includes a 2% increase. This is the first increase in the last several years. Staff is pleased with the services provided and recommends using them for the audit again this year.

12-08-14-08 Motion by Mrs. Strom and second by Mr. Goedtke to authorize staff to sign the agreement letter with Clifton Larson Allen for the 2014 audit. Motion carried.

Mayor Prim stated the next item on the agenda was the resolution committing fund balance for specific purposes.

City Administrator Mike Rietz stated that this is a resolution that we do every year to identify sinking funds and Park Board funds that we are carrying over from one year to the next.

12-08-14-09 Motion by Mr. Rick and second by Mrs. Strom to approve the following resolution. Upon a roll call vote, the following voted aye: Rick, Goedtke, Strom, Davis, Sylvester, and Enstad. The following voted nay: none. Motion carried.

**City of Barnesville
County of Clay
State of Minnesota
RESOLUTION No. 12-08-14-09
COMMITTING FUND BALANCE
FOR SPECIFIC PURPOSES**

WHEREAS, the City Council of the City of Barnesville, Minnesota, does hereby find as follows:

WHEREAS, the Governmental Accounting Standards Board's Statement No. 54 defines committed fund balance as amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Council,

WHEREAS, Council action is required before year end to formalize the commitment of fund balance to specified purposes,

WHEREAS, those committed amounts cannot be used for any other purpose unless the City removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City, that the specific portions of fund balance in the identified funds are committed as follows:

Committed

<u>Fund</u>	<u>Description - Fund</u>	<u>Purpose</u>	<u>Amount</u>
General – 101	Maintenance – 101	Seal Coating in 2015	\$100,000
Park Board – 225	Maintenance – 225	Blue Eagle dredging	\$40,000
Park Board	Capital projects - 225	To finance future playground equipment.	\$1,792
Equipment Replacement	Police Squad	To purchase new squad in 2015	\$30,000
	Streets	To purchase street sweeper in	\$40,000
	Streets	2018	\$25,000
	Parks	To purchase dump truck in	\$10,000
		2016	
		To finance TAP grant	

ADOPTED this 8th day of December, 2014

Eugene Prim, Mayor

Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the fish ladder grant.

Mr. Josh Kadramas with Houston Engineering next discussed with council members that the City was awarded the grant for the fish ladder at Whisky Creek Spillway. The total grant amount is \$375,409.00. The city will be responsible for a 10% match of costs, approximately \$36,000.00. Mr. Kadramas suggested starting this project after Potato Days.

Mayor Prim suggested that the Park Board look at weed control for this project also. Mayor Prim stated that the foot bridge is leaning also, and will need to be checked.

12-08-14-10 Motion by Mr. Davis and second by Mrs. Strom to authorize City Administrator Mike Rietz to execute the grant application and complete the contract, and approve the work plan in the amount of \$402,909.00. Motion carried.

Mayor Prim stated the next item on the agenda was the ambulance bids.

City Administrator Mike Rietz informed council members that Ambulance Manger Scott Nelson has been busy working on bids to remount our existing ambulance module onto a new Ford Chassis. The city received two bids. The lowest responsible bidder was from North Central Ambulance in the amount of \$95,813.00. The next bid received was from Everest Emergency Vehicles in the amount of \$105,205.00. This expense is included in the 2015 budget.

12-08-14-11 Motion by Mr. Davis and second by Mrs. Strom to accept the bid from North Central Ambulance in the amount of \$95,813.00 to remount our existing ambulance module onto a new Ford Chassis. Motion carried.

Mayor Prim stated the next item on the agenda was the 1st reading of ordinance 2015-01.

City Administrator Mike Rietz stated that this is amending the accessory building section of the zoning code as recommended by the Planning Commission. The Planning Commission is recommending removing the requirement that if a house has two detached accessory buildings, that one be less than 150 square feet and the other to be larger than 105 square feet. The other change is they are increasing the amount of accessory square footage that a residential lot larger than 35,000 square feet may have from 2200 square feet to 2500 square feet. The other change is adding a clause that if a property owner would like to build accessory space larger than the ground coverage of the dwelling, they may do that but they would need to go through the conditional use permit process.

12-08-14-12 Motion by Mr. Sylvester and second by Mr. Goedtke to approve the 1st reading of Ordinance 2015-01. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2015-01**

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 7-09 OF THE MUNICIPAL
CODE, ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS.**

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

SECTION 1. Chapter 7-09 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

SEC. 7-0901. ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS.

Subd. 2. Ground Coverage/Permitted Structure Size

For lots 10,000 square feet or under in area, the total floor area of any garage(s) and accessory buildings may not exceed 1,000 square feet; for lots over 10,000 square feet to 15,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 1,200 square feet; for lots over 15,000 square feet to 20,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 1,400 square feet; for lots over 20,000 square feet to 25,000 square feet the total floor area may not exceed 1,600 square feet; for lots over 25,000 square feet to 30,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 1,800 square feet; for lots over 30,000 square feet to 35,000 square feet the total floor area may not exceed 2,000 square feet and for lots exceeding 35,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed ~~2,200~~ 2,500 square feet; and in all cases the total floor area may not exceed the ground coverage of the dwelling, less any attached garage, unless approved by a conditional use permit.

Subd. 4. Number of Structures

Only two detached accessory buildings and/or structures on any single lot. ~~One building shall be 150 square feet or smaller and the other building shall be 150 square feet or larger,~~ subject to lot coverage requirements. Buildings such as gazebos, outdoor living rooms and pool enclosures may be constructed in addition to the accessory buildings, subject to the lot coverage requirements.

PASSED AND ADOPTED by the Barnesville City Council this 12th day of January, 2015.

APPROVED:

Eugene Prim
Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: December 8, 2014
Second Reading: January 12, 2015
Adopted: January 12, 2015
Published: January 19, 2015

Mayor Prim stated the next item on the agenda was the 1st reading of Ordinance 2015-02, a gas franchise ordinance.

City Administrator Mike Rietz informed council members that some amendments to the franchise ordinance that are being done so that the ordinance has all the language that is in the franchise agreement. This is an amendment to the ordinance so that both documents match.

12-08-14-13 Motion by Mr. Davis and second by Mr. Goedtke to approve the 1st reading of Ordinance 2015-02. Motion carried.

ORDINANCE NO. 2015-02

AN ORDINANCE TO AMEND AND REENACT SUBDIVISIONS 3 AND 10 OF SECTION 2-0202 OF THE REVISED BARNESVILLE CITY CODE OF 2013 RELATING TO GAS FRANCHISE ADOPTION AND FEE.

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

SECTION 1. Subdivision 3 of Section 2-0202 of the Revised Barnesville City Code of 2013 is hereby amended

Subd. 3. Adoption of Franchise.

energy for light, heat, power and other purposes for public and private use within and through the limits of the City as its boundaries now exist or as they may be extended in the future. For these purposes, Company may construct, operate, repair and maintain Gas Facilities in, on, over, under and across the Public Grounds and Public Ways of the City, subject to the provisions of this Ordinance. Company may do all reasonable things necessary or customary to accomplish these purposes, subject, however, to such reasonable regulations as may be imposed by the City pursuant to ordinance and to provisions of a separate franchise agreement.

SECTION 2. Subdivision 10 of Section 2-0202 of the Revised Barnesville City Code of 2013 is hereby amended

Sub. 10. Franchise Fee.

A. Fee. Company shall pay an annual Franchise Fee, of five percent (5%) of Company's Gross Revenues. The franchise fee will not become effective until the beginning of a Company billing month at least ninety (90) days after a separate franchise agreement has been fully executed or after publication of the Ordinance, whichever occurs later. Subd. 3(E) will constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the franchise fee. No action by the City to implement a revised franchise fee will commence until this Ordinance is effective. In the event a future revision of the fee imposes fees based on class of user and imposes a lesser franchise fee on the residential class of customers, such fee will not be effective against Company unless the fee imposed on each other customer classification is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

B. Collection of the Fee. The franchise fee will be payable quarterly and will be based on the amount collected by Company during complete billing month during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee in all customer billings for gas service. The payment will be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change must meet the same notice requirements and not occur more often than annually and no change will require a collection from any customer for gas service in excess of the amounts specifically permitted by this Sub. 10. No franchise fee will be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by an identifiable customer or customers or any other information regarding identified customers. The City and the Company shall enter into an agreement prior to Company commencing operation of the gas facilities.

C. Equivalent Fee Requirement. The franchise fee imposed will not be effective against Company unless the City lawfully imposes and the City quarterly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or impose a tax. The "same or greater equivalent amount" will be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers, the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax will be applicable to energy sales for any energy use related to heating, cooling, or lighting, or to run machinery and appliances, but will not apply to energy sales for the purpose of providing fuel to vehicles. If Company specifically consents in writing to a franchise collecting or failing to collect a fee from another energy supplier in contravention of this Sub. 10(C), the foregoing conditions will be waived to the extent of such written consent. This Sub. 10 will not apply to existing propane suppliers within the City of Barnesville.

SECTION 3. 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 ____ day of _____, 2014.

APPROVED BY:

Mayor

ATTEST:

City Clerk

First Consideration:

Second Consideration:

Date of Publication:

Mayor Prim stated the next item on the agenda was the 1st reading of Ordinance 2015-03, a garbage tag fee ordinance.

City Administrator Mike Rietz informed council members that Fuchs Sanitation is increasing the cost of the garbage stickers by \$0.50. This ordinance increases our garbage tag fee by \$0.50 to pass along the increase.

12-08-14-14 Motion by Mr. Rick and second by Mrs. Strom to approve the 1st reading of Ordinance 2015-03. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2015-03**

**AN ORDINANCE AMENDING CHAPTER 8-01, SEC. 2-0106 OF THE MUNICIPAL
CODE REGARDING REFUSE COLLECTION FEES.**

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

CHAPTER 8-01, SECTION 2-0106 is amended to read as follows:

Fees payable by those receiving the garbage collection service shall be payable on a monthly basis, and are hereby established as follows:

\$14.82 monthly per residential customer

~~\$1.50~~ \$2.00 garbage tag

PASSED AND ADOPTED by the Barnesville City council this 12th day of January, 2015.

Approved:

Eugene Prim
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: December 8, 2014
Second Reading: January 12, 2015
Adopted: January 12, 2015
Published: January 19, 2015

Mayor Prim stated the next item on the agenda was the 1st reading of Ordinance 2015-04, an ambulance fee ordinance.

Ambulance Manger Scott Nelson stated that insurance companies do not always pay for supplies used on ambulance calls, including Medicare and Medicaid does not pay for itemized charges. Some insurance companies do not pay for itemized charges. Mr. Nelson stated that he checked with other ambulance companies and they bill based on a flat rate and mileage. Mr. Nelson was suggesting changing the ambulance billing to a flat rate with mileage.

12-08-14-15 Motion by Mrs. Strom and second by Mr. Davis to approve the 1st reading of Ordinance 2015-04. Motion carried.

CITY OF BARNESVILLE
ORDINANCE 2015-04
AN ORDINANCE AMENDING CHAPTER 8-01, SEC. ___ OF THE
MUNICIPAL CODE REGARDING AMBULANCE FEES

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

CHAPTER 19, SECTION _____ is created to read as follows:

Fees payable by those receiving ambulance services are hereby established as follows:

Basic Life Support, Non-Emergency	\$600	\$1,000
Basic Life Support, Emergency	\$750	\$1,100
Advanced Life Support-1	\$850	\$1,400
Advanced Life Support-2	\$950	\$1,500

The fees listed here are the base fees and supplies. Charges for mileage ~~and supplies~~ will also be billed as calculated by the Ambulance Director.

PASSED AND ADOPTED by the Barnesville City Council this 12th day of January, 2015.

Approved:

Eugene Prim, Mayor

Attest:

Jeri Reep
City Clerk

Mayor Prim stated the next item on the agenda was the 1st reading of an Internet ordinance update.

TEC Manager Guy Swenson informed council members that our internet customers are assigned static IP addresses. With the new system running on fiber, our customers will not be assigned static IP address, they will be assigned an IP from a pool of 1000 IP addresses every time they

connect. If a customer would like to have a static IP there are several changes to the system that are required to pull that IP from the pool and maintain that IP out of the pool.

12-08-14-16 Motion by Mr. Sylvester and second by Mrs. Strom to approve the 1st reading of Ordinance 2015-05. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE 2015-05**

AN ORDINANCE TO AMEND SECTION 2-0113 OF THE REVISED BARNESVILLE CITY CODE OF 2013

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

SECTION 1. Section 2-0113 of the Revised Barnesville City Code of 2013 is hereby modified and to read as follows:

SECTION 2-0113. ESTABLISHMENT OF CERTAIN TELEPHONE, CABLE TV, DSL, AND HIGH SPEED INTERNET SERVICE RATES MINIMUM REQUIREMENTS, AND ADOPTION OF TELECOMMUNICATIONS TARIFFS.

Section 1. Costs for DSL service

	MONTHLY COSTS		SPEEDS	
	High Speed Internet/DSL		Down speed	Up speed
1.	\$24.95	(Bronze)*	up to 128 kbps	up to 128 kbps
2.	\$36.95	(Silver)	up to 6 Megbps	up to 1.5 Megbps
3.	\$52.95	(Gold)	up to 10 Megbps	up to 2 Megbps
4.	\$69.95	(Platinum)	up to 20 Megbps	up to 2 Megbps
5.	\$109.95	Business 1	up to 40 Megbps	up to 4 Megbps
6.	\$129.95	Business 2	up to 50 Megbps	up to 5 Megbps
7.	\$259.95	Business 3	up to 50 Megbps	up to 10 Megbps
8.	\$389.95	Business 4	up to 100 Megbps	up to 20 Megbps

* New DSL customers only

Cost for additional Email accounts:	\$ 2.00 per month
<u>Cost for Static IP addresses</u>	<u>\$5.00 per month</u>
Cost for 2 nd Static IP addresses	\$10.00 per month

DSL “Combo” package

When DSL is purchased along with Barnesville Long Distance and Barnesville Cable TV service the customer will receive a monthly “Combo” discount on the cost of the DSL level as follows:

- \$5.00 per month discount for Bronze DSL service
- \$15.00 per month discount for Silver DSL service
- \$20.00 per month discount for Gold DSL service
- \$25.00 per month discount for Platinum DSL service.
- \$30.00 per month discount for Business 1,2,3,4 DSL service.

The DSL “Combo” package is available to business and residential customers.

DSL Installation charge: \$185.00 non-recurring (DSL Installation charges will follow the NECA Tariff as changes occur within the tariff)*-*

- DSL Installation charge may be waived.

Conditions for waiver: Customer agrees to maintain DSL service for a minimum period of six months (180 days). Customer will be billed DSL service installation charge should they fail to maintain DSL service for the six-month period. Service order charges are not waived.

Section 2. Equipment Provided by Customer

Network Interface Card (NIC)

Modem: Options

- 1) Customer can provide their own modem, or
- 2) Purchase a Modem/router from City Hall - \$140.00 (plus applicable taxes), or
- 3) Rent a Modem/router, Wireless Router, or Wireless Access point for \$4.95 per month.

SOFTWARE REQUIRED/RECOMMENDED

INTERNET BROWSER: Customer provided

FIREWALL: Software and electrical surge protector are responsibility of subscriber.

Section 3. Equipment provided for Customer

3 meter CAT 5 patch cord

Section 4. Cost for Dial-up Internet service - Dial-up Service will no longer be offered after February 18, 2010. Current Dial-up customers will continue to be supported and can remain on the system for as long as they choose, however, once a customer leaves Dial-up service they cannot get reconnected to Dial-up. (These customers will qualify for the Bronze DSL package)

All Dial-up rates will remain in effect until the last customer has chosen to disconnect from the Dial-up system.

All rates listed will apply equally to residential or business service.

- | | | | |
|----|---------------------|---------|------------------------------------|
| 1. | 35 hours per month | \$9.95 | (20 cents per hour over 35 hours) |
| 2. | 100 hours per month | \$14.95 | (15 cents per hour over 100 hours) |

- | | | | |
|----|-------------------|---------|--|
| 3. | Unlimited | \$19.95 | |
| 4. | Unlimited Package | \$14.95 | (when purchased with Barnesville Long Distance and Barnesville Cable TV service) |

Section 5. Equipment provided by Customer

Modem 56 kbps

Section 6. Billing

The monthly charge for Broadband and Dial up Internet service will be billed forward.

If service is disconnected, the billing for service will be ½ the monthly rate if disconnected on or before the 15th day of the present month. Service disconnected after the 15th day of the present month will be billed for the full month.

Section 7. Rate adjustments.

- 1) First time DSL customers receive a \$10.00 per month credit for 3 months with one year service agreement.
- 2) In support of Economic Development efforts and with Council approval, DSL monthly service charges may be reduced up to 50 percent for a time period no longer than 1 year.

Section 8 Transfers to General Fund

A. Operating Transfer Calculation.

1. The operating transfer to the City of Barnesville’s General Fund is determined annually during the budget process. To meet the financial goals of the Broadband and Internet fund and provide a reasonable transfer to the General Fund to meet its revenue resource requirements. The transfer amount is calculated by multiplying the number of active DSL connections reported to the National Exchange Carrier Association (NECA) in December from the previous budget year by the transfer rate of \$157.74 per active DSL Connection. (Example: 2015 transfers would be based on the number of active DSL Connections reported to NECA in December 2013)
2. Additional transfers may be authorized by the City Council provided that an unplanned, or emergency, expenditure out of the general fund budget occurs and it is necessary to fund said expenditure out of additional transfers from the utility provided that a majority vote of the City Council is required to authorize an additional transfer.

EFFECTIVE DATE: 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 8th day of December, 2014.

APPROVED BY:

Eugene Prim, Mayor

ATTEST:

Jeri Reep, City Clerk

First Consideration:	December 8, 2014
Second Consideration:	January 12, 2015
Date Adopted:	January 12, 2015
Date of Publication:	January 19, 2015

Mayor Prim stated the next item on the agenda was the HBO-Cinemax rate increase.

TEC Manager Guy Swenson informed council members that effective January 1, 2015 the wholesale cost of HBO will increase from \$14.84 per sub to \$15.58 and the wholesale cost of Cinemax will increase from \$6.81 to \$7.15 per sub. The TEC Board discussed several options and decided due to the low subscription numbers for the HBO and Cinemax, that a price slightly over cost would be more advantageous than a huge increase and potential loss of additional customers.

12-08-14-17 Motion by Mr. Sylvester and second by Mr. Rick to approve the increase in retail rate for HBO to \$16.00 per sub, and Cinemax to \$9.25 per sub, and the HBO/Cinemax package to \$24.50. Motion carried.

Mayor Prim stated the next item on the agenda was the approval of payment to Arvig Construction.

TEC Manager Guy Swenson stated that TEC Board and project engineers at CNE Communication Network Engineering have completed a review of the invoices and recommend payment to Arvig for the fiber to the premise project in the amount of \$328,136.59.

12-08-14-18 Motion by Mr. Rick and second by Mrs. Enstad to approve the payment to Arvig Construction in the amount of \$328,136.59. Motion carried.

Mayor Prim stated the next item on the agenda was the AMI meter with internal disconnect purchase meters.

TEC Manager Guy Swenson stated that due to the long lead time with ordering AMI electric meters, that staff would like to place an order for the 2015 budget year. The order would be placed this year, but would not be paid until 2015. Staff requests to purchase 400 AMI meters in the amount of \$54,506.25 per quote from Cannon Technologies. Mr. Swenson stated that this is a budgeted item.

12-08-14-19 Motion by Mrs. Strom and second by Mr. Rick to authorize staff to purchase 400 AMI electric meters in the amount of \$54,506.25 from Cannon Technologies. Motion carried.

Mayor Prim stated the next item on the agenda was the Metro council of Governments Advisory Board appointments.

City Administrator Mike Rietz stated that presently the City does not have a designated representative on the Policy Board for the FM Metro COG. Mr. Rietz recommended having the council appoint City Administrator Mike Rietz to the FM Metro COG policy board, and EDA Director Karen Lauer be appointed the alternate. Staff also recommends appointing City Administrator Mike Rietz to the Transportation Technical Committee.

12-08-14-20 Motion by Mr. Davis and second by Mr. Sylvester to appoint City Administrator Mike Rietz to the FM Metro COG policy board, and EDA Director Karen Lauer as an alternate. Also to appoint City Administrator Mike Rietz to the Transportation Technical Committee. Motion carried.

Mayor Prim adjourned the regular meeting at 7:56 p.m. and stated that the council would be holding a closed session for the City Administrator annual performance review

Mrs. Pam Aakre with the Record Review stated that she would like a report of the outcome of the closed meeting at the January meeting.

12-08-14-21 Motion by Mr. Davis and second by Mr. Rick to go into a closed session for the purpose of conducting the annual performance review of City Administrator Mike Rietz. Motion carried.

12-08-14-22 Motion by Mr. Davis and second by Mr. Rick to re-open the meeting. Motion carried. Meeting opened at 8:25 p.m.

Mayor Prim stated that City Administrator Rietz's performance was determined to be meeting expectations.

Mayor Prim adjourned the meeting at 8:26 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor