

**Barnesville City Council**  
**Regular Meeting**  
**February 10, 2014**

Vice-Mayor Rick called this regular meeting to order at 7:00 p.m. Members present were Vice-Mayor Rick and Council members Betty Strom, Richard Sylvester, Larry Davis, Jr, Don Goedtke, and Cathy Enstad. Absent was Mayor Gene Prim. Others in attendance were, City Administrator Mike Rietz, Sara Nyhus-Wear with Ohnstad Twichell, City Clerk Jeri Reep, Finance Director Laurie Schell, Police Chief Dean Ernst, TEC Manager Guy Swenson, EDA Director Karen Lauer, Public Works Supt. Terry Ystenes, Blake Griffin with Communications Network, Vaughn Gentry with People Service, Joel Paulsen with KLJ Engineering, and Jacob Underlee with the Record Review.

Vice-Mayor Rick asked City Administrator Mike Rietz to take roll call.

The next item on the agenda was the pledge of allegiance. All rose to recite the pledge of allegiance.

Vice-Mayor Rick next asked if there were any corrections or additions to the agenda. City Administrator Mike Rietz stated that there were no additional items.

Vice – Mayor Rick stated that Council member Cathy Enstad had a few words to share. Council member Enstad next shared with council members the following: “Although I do support new business in Barnesville, I do not approve the consent calendar because I believe that, since Old City Hall is a public building, it should be used for the city and for the public and not any private business. It is unfair to the public to ask them to incur part or even all of the costs associated with any asbestos removal or improvements as they are not being afforded the opportunity to use their own building. It is my understanding that, as long as asbestos is not disturbed, it is not a health risk.”

**02-10-14-01** Motion by Mr. Davis and second by Mr. Goedtke to approve the agenda as presented. Motion carried.

Vice-Mayor Rick stated the next item on the agenda was the consent agenda.

**02-10-14-02** Motion by Mr. Davis and second by Mr. Sylvester to approve the consent agenda. The following members voted aye: Council members Rick, Goedtke, Davis and Sylvester. The following voted nay: Council member Strom and Enstad. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular council meeting minutes held on January 13, 2014.
2. Approval of the department head reports.
3. Approval of check numbers 77133 – 77262 in the amount of \$594,755.90 and EFT payments in the amount of \$241,959.56.
4. Approval of 2014 cigarette license for Dollar General Store.

5. Approval of the pay equity report.
6. Approval of the 4<sup>th</sup> quarter transfers.
7. Approval of the pay estimate #1 from Bob Bristlin & Son Construction, Inc. in the amount of \$52,048.60.
8. Approval of gambling permit for Barnesville Rod & Gun-February 21, 2014.
9. Approval of gambling permit for Barnesville Thursday Nite Lions-July 12-13, 2014.
10. Approval of gambling permit for Barnesville Thursday Nite Lions-August 22, 2014.
11. Approval of the 2013 SAIFI, SAIDI, and CAIDI reports.
12. Approval of appointment of Bruce Albright to the EDA Board with term expiring December 31, 2019.
13. Approval of appointment of Ryan Tonsfeldt to the EDA Board with term expiring December 31, 2016.

Vice-Mayor Rick stated the next item on the agenda was the board and commission reports.

Council member Goedtke stated that the Home and Garden show is coming up.

Council member Goedtke stated that the Planning commission meeting had been cancelled.

Council member Enstad stated the Community Education had met, and are working on new classes coming up.

**02-10-14-03** Motion by Mr. Davis and second by Mrs. Strom to approve the board and commission reports as presented. Motion carried.

Vice-Mayor Rick stated the next item on the agenda was the public forum. Vice-Mayor Rick asked if there were any citizens present to be heard. There were none.

Vice-Mayor Rick stated the next item on the agenda was the sewer facilities plan.

City Engineer Joel Paulson with KLJ Engineering next discussed the sewer facilities plan with council members. Mr. Paulson stated that facilities plans make you eligible for State loan financing for five years. This is a step in the process that is intended to keep our options open and would put us on the funding list from 2015 through 2020. The next opportunity would be from 2016 through 2021. City Administrator Mike Rietz stated that staff and council could identify a problem by the March regular meeting, and take time to prepare the plan to move forward.

**02-10-14-04** Motion by Mr. Sylvester and second by Mr. Goedtke to proceed with the sewer facilities plan for 2016 through 2021. Motion carried.

Mr. Paulsen next discussed the capital improvement plan that KLJ is working on. Mr. Paulsen stated that they will provide a draft capital improvement plan at the March regular meeting.

Vice-Mayor Rick stated the next item on the agenda was the Wellhead Protection plan amendment-Part 1.

City Administrator Mike Rietz informed council members that every ten years cities are required to review and update their Wellhead Protection Plan. Barnesville's plan was originally adopted in 2005. The first step in the process is the document letter, the Wellhead Protection Plan, Part 1. This plan was put together by a Hydro geologist with the MN Dept. of Health. Council is to review the plan and approve and return the letter asking that they approve the Wellhead Protection Plan, Part 1. After that is approved, then we are required to complete the Part 2 of the plan.

**02-10-14-05** Motion by Mr. Davis and second by Mrs. Enstad to authorize staff to proceed with the Wellhead Protection Plan, Part 1. Motion carried.

Vice-Mayor Rick stated the next item on the agenda was the approval of Summary Ordinance 2013-12.

City Administrator Mike Rietz stated that this is the summary ordinance for publication for Ordinance 2013-12.

**02-10-14-06** Motion by Mr. Davis and second by Mrs. Strom to approve the Summary Ordinance 2013-12. Motion carried.

#### **TITLE AND SUMMARY OF ORDINANCE NO. 2013-12**

The following Ordinance is hereby published by title and summary:

**1. Title of Ordinance:**

An Ordinance to Amend and Reenact Section 7-0207 Subd. 4, 5, 6 and 7, Section 7-0208 Subd. 4, Section 7-0209 Subd. 4 of The Barnesville City Code Regarding Setbacks in the C-2, C-3 and I-1 Zoning Districts.

**2. Summary of Ordinance:**

This ordinance makes adjustments to setback regulations in the C-2, C-3 and I-1 zoning districts.

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

**3. Availability of Ordinance:**

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Barnesville City Hall, 102 Front Street North, Barnesville, Minnesota.

This Ordinance was passed by the City Council of the City of Barnesville on the 13<sup>th</sup> day of January, 2014.

APPROVED:

---

Eugene Prim, Mayor

ATTEST:

---

Jeri Reep, City Clerk

First Reading: December 9, 2013  
Second Reading: January 13, 2014  
Adopted: January 13, 2014  
Published: February 17, 2014

Vice-Mayor Rick stated the next item on the agenda was the 2<sup>nd</sup> reading of Ordinance 2014-01.

TEC Manager Guy Swenson stated that this is the 2<sup>nd</sup> reading of this Ordinance. Mr. Swenson stated that he had updated the ordinance with the December 2013 active telephone lines.

**02-10-14-07** Motion by Mrs. Enstad and second by Mrs. Strom to approve the 2<sup>nd</sup> reading of Ordinance 2014-01. Motion carried.

### **ORDINANCE 2014-01**

#### **AN ORDINANCE TO ESTABLISH THE RATE FOR TRANSFER OF REVENUES FROM BARNESVILLE MUNICIPAL TELEPHONE TO THE CITY OF BARNESVILLE GENERAL FUND.**

The City Council of the City of Barnesville does hereby ordain as follows:

WHEREAS, Prior year transfers were established during the budget process and adjusted "As Needed" to meet General Fund Expenditures.

WHEREAS, 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

Telephone fund and provide a reasonable transfer to the General Fund to meet its revenue resource requirements.

WHEREAS, the Telephone/Electric/Cable TV (T.E.C.) Advisory Board for the City of Barnesville has recommended the following calculation as the mechanism to determine future transfers from Barnesville Municipal Telephone to the City of Barnesville General Fund.

NOW THEREFORE, Ordinance No. 2014-01 is hereby established as follows:

Section 1      Transfers to General Fund

A. Operating Transfer Calculation.

1.      The transfer amount is calculated by multiplying the number of active telephone lines reported to the National Exchange Carrier Association (NECA) in December from the previous budget year by the transfer rate of \$284.87 per active telephone line. (example; 2015 transfers would be based on the number of active phone lines 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 Telephone fund provided that a majority vote of the City Council is required to authorize an additional transfer.

EFFECTIVE DATE: This ordinance shall become effective upon its passage and enactment, followed by publication according to law.

PASSED AND ADOPTED by the Barnesville City Council this 10th day of February, 2014.

APPROVED:

---

Eugene Prim, Mayor

ATTEST:

---

Jeri Reep  
City Clerk

First Reading: January 13, 2014  
Second Reading: February 10, 2014  
Adopted: February 10, 2014  
Publication: February 17, 2014

Vice-Mayor Rick stated the next item on the agenda was the 2<sup>nd</sup> reading of Ordinance 2014-02.

**02-10-14-08** Motion by Mrs. Enstad and second by Mrs. Strom to approve the 2<sup>nd</sup> reading of Ordinance 2014-02. Motion carried.

#### **ORDINANCE 2014-02**

##### **AN ORDINANCE TO ESTABLISH THE RATES AND CHARGES FOR BROADBAND AND INTERNET SERVICE.**

The City Council of the City of Barnesville does hereby ordain as follows:

WHEREAS, the City Council did previously enact Ordinance No. 2013-01 an ordinance to establish charges for broadband and internet service.

WHEREAS, DSL service is a service regulated by National Exchange Carrier Association (NECA) and the City of Barnesville doing business as Barnesville Municipal Telephone is a member of NECA and,

WHEREAS, NECA has filed the appropriate tariffs with the Federal Communications Commission which establish wholesale charges for DSL services and,

WHEREAS, the Telephone/Electric/Cable TV (T.E.C.) Advisory Board for the City of Barnesville has recommended the following rates and charges for DSL and Dial-up Internet service provided to customers by the Broadband and Internet Enterprise.

NOW THEREFORE, Ordinance No. 2013-01 is hereby replaced as follows:

Section 1. Costs for DSL service

	MONTHLY COSTS		SPEEDS	
	Internet/DSL		Down speed	Up speed
1.	\$24.95	(Bronze)*	up to 128 kbps	up to 128 kbps
2.	\$36.95	(Silver)	up to 3 Megbps	up to 1 Megbps
3.	\$52.95	(Gold)	up to 6 Megbps	up to 1 Megbps
4.	\$69.95	(Platinum)	up to 10 Megbps	up to 1 Megbps

\* New DSL customers only

Cost for additional Email accounts: \$ 2.00 per month  
Cost for 2<sup>nd</sup> 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.

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

DSL Installation charge: \$250.00 non-recurring (DSL Installation charges will increase along with NECA increases)\*-\*

\*-\* DSL Installation charge may be waived.

Conditions for waiver: Customer agrees to maintain DSL service for a minimum period of twelve months. Customer will be billed DSL service installation charge should they fail to maintain DSL service for the twelve-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 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 15<sup>th</sup> day of the present month. Service disconnected after the 15<sup>th</sup> 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

#### B. Operating Transfer Calculation.

3. 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)

4. 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 become effective upon its passage and enactment, followed by publication according to law.

PASSED AND ADOPTED by the Barnesville City Council this 10th day of February, 2014.

APPROVED:

---

Eugene Prim, Mayor

ATTEST:

---

Jeri Reep  
City Clerk

First Reading:        January 13, 2014  
Second Reading:     February 10, 2014

Adopted: February 10, 2014  
Publication: February 17, 2014

Vice-Mayor Rick stated the next item on the agenda was the approval of Summary Ordinance 2014-02.

**02-10-14-09** Motion by Mrs. Enstad and second by Mrs. Strom to approve the Summary Ordinance 2014-02. Motion carried.

### **SUMMARY ORDINANCE 2014-02**

The following Ordinance is hereby published by title and summary:

**1. Title of Ordinance:**

**AN ORDINANCE TO ESTABLISH THE RATES AND CHARGES FOR BROADBAND AND INTERNET SERVICE.**

**2. Summary of Ordinance Changes:**

Section 8 Transfers to General Fund

C. Operating Transfer Calculation.

5. 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)
6. 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 majority vote of the City Council is required to authorize an additional transfer.

EFFECTIVE DATE: This ordinance shall become effective upon its passage and enactment, followed by publication according to law.

PASSED AND ADOPTED by the Barnesville City Council this 10th day of February, 2014.

APPROVED:

---

Eugene Prim, Mayor

ATTEST:

---

Jeri Reep  
City Clerk

First Reading: January 13, 2014  
Second Reading: February 10, 2014  
Adopted: February 10, 2014  
Publication: February 17, 2014

Vice-Mayor Rick stated the next item on the agenda was the discussion of the fiber to the home project.

TEC Manager Guy Swenson informed council members that since the addition of DSL, the demand for more data and faster speed has exceeded the abilities of our copper system. Fiber has the ability to offer incredible data speeds at capacities many time that of copper. Mr. Swenson stated that the mapping of the fiber to the home project has been completed. Mr. Swenson stated that staff can make the fiber to the home project happen without raising the rates. Mr. Swenson stated that City Hall has received several requests from current telecommuters asking for faster internet speeds with faster upload being the more critical need. Fiber is virtually maintenance free and is not affected by seasonal temperature changes the way copper is. Mr. Swenson stated that bids were received for the fiber to the home project for the construction of the project, and Arvig Construction was the lowest responsible bidder in the amount of \$2,745,313.26.

**02-10-14-10** Motion by Mr. Sylvester and second by Mrs. Enstad to award the Fiber to the Home project for construction to Arvig Construction in the amount of \$2,745,313.26. Motion carried.

TEC Manager Guy Swenson stated the next item on the agenda was the Fiber to the Home equipment contract. Mr. Swenson stated that bids were opened and had received only one bid, being from Calix Network in the amount of \$589,255.75.

**02-10-14-11** Motion by Mrs. Enstad and second by Mr. Sylvester to award the Fiber to the Home project for equipment to Calix Network in the amount of \$589,255.75. Motion carried.

TEC Manager Guy Swenson stated the next item on the agenda was the Fiber to the Home engineering contract. Mr. Swenson stated that staff has been working with Communication Network Engineering, Inc. Mr. Swenson stated that Mr. Blake Griffin with Communication Network plans to start on the Fiber to the Home project as soon as the ground allows.

**02-10-14-12** Motion by Mrs. Enstad and second by Mr. Sylvester to authorize staff to sign the engineering contract with Communication Network Engineering, Inc. for the Fiber to the Home project. Motion carried.

Vice Mayor Rick stated the next item on the agenda was the discussion of housing of stranded motorists.

Police Chief Dean Ernst informed council members that we have had some stranded motorist this winter season due to bad weather. Chief Ernst has talked to the Ministerial Association, and St. James Church is willing to house stranded motorists if needed. Chief Ernst also suggested utilizing the Old City Hall Council Chambers to house people in the future.

Vice-Mayor Rick stated the next item on the agenda was the 2013 EDA annual report.

EDA Chair Eric Spilde next discussed the EDA program with council members. EDA Director Karen Lauer next went thru some of the EDA's accomplishments for the past year. Mrs. Lauer stated that the EDA yearly report was required by the State. Mrs. Lauer stated that housing sales saw a very good year of existing home sales. Mrs. Lauer stated that the Dollar General Store is being built. EDA worked with Absolute Marketing to launch the new "It's about Barnesville" mobile application. Council members had no further questions for Mrs. Lauer.

Vice Mayor Rick stated the next item on the agenda was the 2013 Main Street report.

EDA Director Karen Lauer discussed the accomplishments of the Main Street Program for 2013. Mrs. Lauer stated that with the Main Street program, it encourages folks to stay here in Barnesville with the various events that the Main Street program offers. Council members had no further questions for Mrs. Lauer.

Vice Mayor Rick stated the next item on the agenda was the invitation to a joint meeting of the EDA, School Board and City Council.

EDA Chair Eric Spilde next invited council members to a joint meeting with the EDA and School Board. Mr. Spilde stated that KLJ Engineering would be the facilitator in the meeting. Vice Mayor Rick asked council members if they wanted to choose a date for this meeting. City Administrator Mike Rietz stated that he would contact council members to see what day works best for council members.

**02-10-14-13** Motion by Mr. Davis and second by Mrs. Strom to adjourn the meeting at 8:20 p.m. Motion carried.

Submitted by:

Attest:

---

Jeri Reep  
City Clerk

---

Jason Rick  
Vice-Mayor