

Barnesville City Council
Regular Meeting
August 11, 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, Richard Sylvester and Cathy Enstad. Absent were council members Betty Strom and Don Goedtke. 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, Vaughn Gentry with People Service, Ambulance Manger Scott Nelson, Jon Pauna with KLJ Engineering, Craig Herfindahl, and Jacob Underlee with the Record Review.

Mayor Prim asked City Administrator Mike Rietz to take roll call.

Mayor Prim next asked if there were any corrections or additions to the agenda. City Administrator Mike Rietz stated that the only addition was to add the appointment of the City Code Official.

08-11-14-01 Motion by Mr. Rick and second by Mr. Sylvester to approve the agenda as presented with the addition of the appointment of the City Code Official. Motion carried.

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

08-11-14-02 Motion by Mr. Rick and second by Mr. Davis 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 July 14, 2014.
2. Approval of the minutes of the special meeting held on July 28, 2014.
3. Approval of department head reports.
4. Approval of check numbers 78159 – 78336 in the amount of \$549,920.40 and EFT payments in the amount of \$73,348.40.
5. Approval of gambling permit for Barnesville Rod & Gun for August 23, 2014.
6. Approval of Ratzos Pool Hall liquor request-Aug. 23-24, 2014.
7. Approval of VFW Post 4628 liquor request-Aug. 34-24, 2014.
8. Approval of Old City Hall elevator project change order #1.
9. Approval of Old City Hall elevator project pay estimate #6 in the amount of 74,595.00.
10. Approval of final pay request for Infrastructure Improvement District 2013-01 in the amount of \$39,018.17
11. Approve the resignation of Golf Course Supt. Richard Nicklay
12. Approve the resignation of Golf Course groundskeeper Jon Neumann
13. Approval to hire Tara Hanson as Golf Course Pro-shop employee at \$7.25 per hour.
14. Approval of on call pay for the Telephone and Cable TV Dept.
15. Approval to hire Jeri Hirsch as Liquor Store Clerk at \$9.00 per hour.
16. Approval of the resignation of EMT Zachary Dent.

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

Council member Don Goedtke arrived at 7:02 p.m.

Council members reported on the board and commission reports they are 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 discussion of the trees in the alley behind 306 11th Street SE.

Mr. Craig Herfindahl next approached the council. Mr. Herfindahl was wondering if council members had made a decision about the removal of the trees by his property at 306 11th Street SE. Council member Sylvester stated that the trees are in the alley. City Administrator Mike Rietz stated the trees are too big for the city to take down. Carr's Tree Service did provide a quote to remove the trees in the amount of \$1,850.00. Council member Sylvester stated that he cannot recommend taking down a healthy tree on city property. Mr. Sylvester suggested possibly vacating a portion of the alley.

08-11-14-03 Motion by Mr. Sylvester and second by Mr. Rick to table the removal of trees in the alley at 306 11th Street SE and look into vacating a portion of the alley. Motion carried.

Mayor Prim stated the next item on the agenda was the building inspector contract.

City Administrator Mike Rietz informed council members that Lakes Country Service Coop provides building inspection services. This contract would require the City to guarantee \$14,000.00 of revenue annually. The City would send Lakes Country 80% of the permit fee revenue on a monthly basis and at the end of the year, if the amount was less than \$14,000.00 we would send Lakes Country a check making up the difference.

08-11-14-03 Motion by Mr. Goedtke and second by Mr. Davis to approve the building inspector contract with Lakes Country Service Coop. Motion carried.

Mayor Prim stated the next item on the agenda was the Old City Hall furniture discussion.

City Administrator Mike Rietz provided council members with several options for furniture for the meeting room at Old City Hall. Council member Sylvester stated that this meeting room is where taxpayers will be meeting and would like to see good quality furniture to be available for the meeting room.

08-11-14-04 Motion by Mr. Sylvester and second by Mr. Goedtke to authorize staff to purchase office furniture for the meeting room of Old City Hall, not to exceed \$8,000.00, for 25 chairs and 13 tables. Motion carried.

Mayor Prim stated the next item on the agenda was the discussion of the Travis Olson wage adjustment.

City Administrator Mike Rietz informed council members that the Personnel and Finance committee are recommending increasing Public Works employee Travis Olson's hourly wage by \$.50 per hour. Mr. Olson has pointed out that he will be required to do some extra work to get Public Works Supt. Trevor Moen up to speed and has requested that his regular wage be compensated for this.

08-11-14-05 Motion by Mr. Sylvester and second by Mrs. Enstad to approve the increase of \$0.50 per hour to Travis Olson hourly wage. Motion carried.

Mayor Prim stated the next item on the agenda was the 2014 budget adjustments to increase the EDA transfer. Mayor Prim stated that this was his request that the EDA has struggled this past year with such a tight budget.

City Administrator Mike Rietz stated that at the July Personnel and Finance committee, Mayor Prim asked to consider increasing the transfer to the EDA in the 2014 budget, restoring \$5,000.00 of the reduction that was made in the 2014 budget. Mr. Rietz stated that after reviewing the budget, the council discretionary expense line has about \$3,000.00 that would be available, and the Administration audit line still has about \$5,000.00. The police department has \$15,000.00 for purchase of a patrol car, but that purchase is going to wait until 2015.

08-11-14-06 Motion by Mr. Sylvester and second by Mr. Goedtke to approve the \$5,000.00 transfer to the 2014 EDA budget. Council member Rick stated that the money would be from the reserves, and paid back. Council member Enstad agreed with Mr. Rick. The following voted aye: council members Rick, Goedtke, Strom, Davis and Sylvester. The following voted nay: council member Enstad. Motion carried.

Mayor Prim stated the next item on the agenda was the resolution ordering preparation of assessment and setting hearing on proposed assessments for the Infrastructure Improvement project 2013-1.

City Engineer Joel Paulson with KLJ Engineering informed council that this resolution was to set the public hearing. Mr. Paulson stated the amount of \$339,303.75 would be the amount for the total cost of the project.

08-11-14-07 Motion by Mr. Rick and second by Mr. Sylvester to approve the following resolution. Upon a roll call vote, the following voted aye: council members Rick, Goedtke, Strom, Davis, Sylvester and Enstad. Motion carried.

EXTRACT OF MINUTES OF MEETING OF
THE CITY COUNCIL OF THE CITY OF
BARNESVILLE, MINNESOTA
HELD: August 11, 2014

Pursuant to due call and notice thereof, a general meeting of the City Council of the City of Barnesville, Clay County, Minnesota, was duly held at City Hall in said City on the 11 day of August, 2014 at Seven o'clock P.M.

RESOLUTION DECLARING COST TO BE
ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT IN CONNECTION
WITH IMPROVEMENT DISTRICT 2013-1

WHEREAS, the contracts have been let for the construction of Improvement District 2013-1; and
WHEREAS, the total cost of said improvements is \$338,821.92;

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

1. The City Council hereby determines that the city shall pay \$31,879.02 of said cost, exclusive of the amount it may pay as a property owner, and the sum of \$306,942.90 shall be assessed against benefitted property owners based upon benefits received without regard to cash valuation.
2. The City Clerk, with the assistance of KLJ Inc., shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land without regard to cash valuation as provided by law, and she shall file a copy of such proposed assessment in her office for public inspection.
3. To the extent the methodology for determining individual assessments differs from the methodology available at the public hearing held prior to the ordering of the improvements, the City Clerk with the assistance of the City consulting engineer shall identify in writing the methodology utilized and how it differs.
4. The City Clerk shall, upon completion of such proposed assessment, notify the Council thereof.

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF _____) ss
CITY OF _____)

I, the undersigned, being duly qualified and acting Clerk of the City of _____,
Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing
extract of minutes of a meeting of the City Council of said City held on the date therein indicated
with the original thereof on file in my office, and the same is a full, true and complete transcript
therefrom insofar as the same relates to a resolution declaring cost to be assessed and ordering
preparation of proposed assessment in connection with _____ Improvements of 20__
in the City.

WITNESS my hand as such Clerk and the seal of said City this ____ day of _____,
20__.

City Clerk

(SEAL)

City Engineer Joel Paulson stated the next resolution was to set the date of the public hearing for
the Infrastructure Improvement project 2013-1.

08-11-14-08 Motion by Mr. Sylvester and second by Mr. Rick to approve the following
resolution. Upon a roll call vote, the following voted aye: council members Rick, Goedtke, Strom,
Davis, Sylvester and Enstad. Motion carried

EXTRACT OF MINUTES OF MEETING OF
THE CITY COUNCIL OF THE CITY OF
BARNESVILLE, MINNESOTA
HELD: AUGUST 11, 2014

RESOLUTION CALLING HEARING ON
ASSESSMENTS FOR IMPROVEMENT DISTRICT 2013-1

WHEREAS, the City Clerk, with the assistance of KLJ Inc., has prepared an assessment roll for the Improvement District 2013-1, and said proposed assessment roll is on file with the City Clerk and open to public inspection;

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

1. The Clerk shall publish notice that this Council will meet to consider the proposed assessments on September, 2014 at Seven o'clock P.M. in the City Hall of said City of Barnesville, Minnesota. The published notice shall be in substantially the form set forth on Exhibit A attached hereto.
2. A copy of the notice in substantially the form set forth in Exhibit B attached hereto shall be mailed to the owners of each parcel of property described in the assessment roll.

EXHIBIT A
NOTICE OF HEARING ON ASSESSMENTS
FOR _____ IMPROVEMENTS OF 20__
TO WHOM IT MAY CONCERN:

TIME AND PLACE
GENERAL NATURE OF
IMPROVEMENTS:

The total amount proposed to be assessed is \$_____ and is proposed to be payable in annual installments over a period of ____ years.

Written or oral objections will be considered at the hearing.

ASSESSMENT ROLL
OPEN TO INSPECTION:
AREA PROPOSED
TO BE ASSESSED

An owner of property to be assessed may appeal the assessment to the district court of _____ County pursuant to Minnesota Statutes, Section 429.081 by serving notice of appeal on the Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

TOTAL AMOUNT
AND TERM OF PROPOSED
ASSESSMENT:
WRITTEN OR ORAL
OBJECTIONS:
RIGHT OF APPEAL:

No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to

LIMITATION ON
APPEAL:

Notice is hereby given that the City Council of the City of _____, Minnesota, will meet in the City Hall in the City of _____, Minnesota on the ____ day of _____, 20__ at ____ o'clock __.M. to consider objections to the proposed assessments for _____ improvements of 20__ heretofore ordered by the City Council.

The proposed assessment roll is on file with the City Clerk and open to public inspection. The area proposed to be assessed consists of every lot, piece or parcel of land benefitted by said improvement, which has been ordered made and is as follows:

DEFERMENT OF ASSESSMENTS:

MAILED NOTICE:

the assessments not received at the assessment hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

Under provisions of Minnesota Statutes, Sections 435.193 to 435.195, the City may, at its discretion, defer the payment of

DATED: _____, 20__.

BY ORDER OF THE CITY COUNCIL

/s/ _____

City Clerk

assessments for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments [However, the City has elected not to establish any deferment procedure pursuant to those Sections.*]

The notice of this hearing mailed to property owners contains additional information.

* Bracketed language should be deleted if City Council intends to establish a deferment procedure pursuant to Sections 435.193 to 435.195, and the following language should be substituted in its place: "The procedure for applying for such a deferment has been set forth by resolution [ordinance] adopted on _____, 20__, by the City Council a copy of which resolution [ordinance] is available upon request at the office of the City Clerk."

EXHIBIT B
NOTICE OF HEARING ON ASSESSMENTS
FOR _____ IMPROVEMENTS OF 20__

TO: [Specify owner, address and parcels]

TIME AND PLACE
GENERAL NATURE OF
IMPROVEMENTS:

The area proposed to be assessed consists of every lot, piece or parcel of land benefitted by said improvement, which has been ordered made and is as follows:

_____ in the City of _____,
Minnesota.

ASSESSMENT ROLL
OPEN TO INSPECTION:
AREA PROPOSED
TO BE ASSESSED:

The total amount proposed to be assessed is \$ _____ and is proposed to be payable in annual installments over a period of _____ years.

Written or oral objections will be considered at the hearing.

TOTAL AMOUNT
AND TERM OF PROPOSED
ASSESSMENT:
WRITTEN OR ORAL
OBJECTIONS:
RIGHT OF APPEAL:

An owner of property to be assessed may appeal the assessment to the district court of _____ County pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

No appeal may be taken as to the amount of any assessment adopted by the City Council unless a

LIMITATION ON
APPEAL:

Notice is hereby given that the City Council of the City of _____, Minnesota, will meet in the City Hall in the City of _____, Minnesota, on the _____ day of _____, 20__, at _____ o'clock ____M. to consider objections to the proposed assessments for _____

Improvements of 20__ heretofore ordered by the City Council.

The proposed assessment roll is on file with the City Clerk and open to public inspection.

DEFERMENT OF
ASSESSMENTS:

SPECIFIC AMOUNT TO
BE ASSESSED:

ADOPTION OF ASSESSMENT
AT HEARING:
PREPAYMENT:

NO PARTIAL PREPAYMENT:

written objection is signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

Under the provisions of Minnesota Statutes, Sections 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. [However, the City has elected not to establish any deferment procedure pursuant to those Sections.*]

The amount to be specifically assessed against your particular lot, piece of parcel of land is \$_____.

The City Council may adopt the proposed assessment at the hearing.

You May repay the entire assessment to the Treasurer of the City until the assessment roll is certified to the County Auditor; after certification to the County Auditor, prepayments of the entire amount remaining due may be made to the Treasurer at any time prior to November 15 of any year. **

The City Council has [not]*** authorized the partial prepayment of assessments prior to certification of the assessment or the first installment thereof to the County Auditor.

* Bracketed language should be deleted if City Council intends to establish a deferment procedure pursuant to Sections 435.193 to 435.195, and the following language should be substituted in its place: "The procedure for applying for such a deferment has been set forth by resolution [ordinance] adopted on _____, 20__, by the City Council a copy of which resolution [ordinance] is available upon request at the office of the City Clerk."

** If the City certifies installments annually, add: "provided that the installment and interest in process of collection on the current tax list shall be paid to the County Treasurer and the remaining principal balance shall be paid to the Clerk."

***Modify if ordinance authorizes partial prepayment.

PREPAYMENT WITHOUT
INTEREST, OR WITH
INTEREST TO END OF
YEAR:

INTEREST RATE:

No interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment roll. At any time prior to November 15 of any year, the owner may prepay to the Treasurer the whole assessment remaining due with interest accrued to December 31 of the year in which the prepayment is made. *****

If the assessment is not prepaid within 30 days from the adoption of the assessment roll, interest will accrue on the assessment at the rate of ____%. Interest accrues from the date to be specified in the resolution levying the assessment, but not earlier than the date of such resolution.

DATED: _____, 20__.

BY ORDER OF THE CITY COUNCIL

/s/ _____

City Clerk

3. Said notice attached as Exhibit A hereto shall be published by the City Clerk in the official newspaper at least two weeks prior to the hearing and the notice attached hereto as Exhibit B shall be mailed by the Clerk to the owners of each parcel described in the assessment roll.
4. If the adopted assessment differs from the proposed assessment as to any particular lot, piece or parcel of land, the Clerk shall mail to the owner a notice stating the amount of the adopted assessment. Owners must also be notified by mail of any changes adopted by the Council in interest rates or prepayment requirements from those contained in the mailed notice of the proposed assessment.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF _____) ss
CITY OF _____)

I, the undersigned, being duly qualified and acting Clerk of the City of _____,
Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing
extract of minutes of a meeting of the City Council of said City held on the date therein indicated
with the original thereof on file in my office, and the same is a full, true and complete transcript
therefrom insofar as the same relates to a resolution calling a hearing on assessments for
_____ Improvements of 20__ in the City.

WITNESS my hand as such Clerk and the seal of said City this ____ day of
_____, 20__.

City Clerk

(SEAL)

Mayor Prim stated the next item on the agenda was the agreement to allow construction in 6th
Ave. NE right of way.

City Administrator Mike Rietz informed council members that this is an agreement to allow
DMT permission to build a portion of the driveway for the new car wash in the right-of-way.
This agreement will allow the Tonsfeldts to build the driveway for their new car wash in our
right-of-way.

08-11-14-10 Motion by Mr. Rick and second by Mr. Davis to approve the agreement with
DMT to allow construction in the 6th Ave. NE right-of-way. Motion carried.

Mayor Prim stated the next item on the agenda was the appointment of code official for the
property maintenance code.

City Administrator Mike Rietz informed council members that we needed to appoint someone as our Code Official for the enforcement of the property maintenance section of the City Code. Mr. Rietz was recommending appointing himself which allows appointing designees to carry out the inspections and enforce the provisions of the Chapter and allows getting input from our building inspector, law enforcement and the City Attorney as inspections and enforcement actions occur.

08-11-14-11 Motion by Mrs. Enstad and second by Mr. Rick to appoint City Administrator Michael Rietz as the Code Official for the Property Maintenance Code. Motion carried.

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

TEC Manager Guy Swenson informed council members that Arvig FTTP work has been completed in zone five of the City, and recommends payment in the amount of \$163,207.27.

08-11-14-12 Motion by Mr. Sylvester and second by Mrs. Enstad to approve payment in the amount of \$163,207.27 to Arvig Construction for work completed in zone 5 of the City. Motion carried.

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

TEC Manager Guy Swenson informed council members that this renewal is a three year renewal with the Sportsman Channel that runs from January 1, 2014 thru December 31, 2016. TEC Board recommends this renewal.

08-11-14-13 Motion by Mr. Rick and second by Mrs. Enstad to authorize staff to sign the renewal contract with the Sportsman Channel for a three year contract. Motion carried.

Mayor Prim stated the next item on the agenda was the ESPN Disney agreement renewal.

TEC Manager Guy Swenson informed council members that on August 1st, he received an email requiring action by August 13, 2014 on the new ESPN/Disney agreement renewal. Mr. Swenson stated that funds are available to buy the receivers necessary.

08-11-14-14 Motion by Mr. Sylvester and second by Mrs. Enstad to authorize staff to sign the ESPN/Disney agreement. Motion carried.

Mayor Prim stated the next item on the agenda was the resolution calling a public hearing for modification of the TIF 1-3.

City Administrator Mike Rietz stated that this resolution is for calling a public hearing for the modifications on the TIF 1-3, and has been recommended for approval by the EDA. This TIF District is similar to the TIF 1-5 in that the obligation of the original development has been met and therefore, the EDA is recommending creating a pooled TIF to allow the TIF revenue from this district to be used for other eligible projects in the community.

08-11-14-15 Motion by Mr. Rick and second by Mr. Goedtke to approve the following resolution. Upon a roll call vote, the following voted aye: council members Rick, Goedtke, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 08-11-14-15

**RESOLUTION CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL
ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE
REDEVELOPMENT PLAN FOR REDEVELOPMENT PROJECT NO. 1 AND
THE PROPOSED MODIFICATION OF TAX INCREMENT FINANCING
DISTRICT NO. 1-3 THEREIN AND THE ADOPTION OF A MODIFIED TAX
INCREMENT FINANCING PLAN THEREFOR.**

BE IT RESOLVED by the City Council (the "Council") for the City of Barnesville, Minnesota (the "City"), as follows:

Section 1. Public Hearing. This Council shall meet on October 13, 2014, at approximately 7:00 P.M., to hold a public hearing on the proposed adoption of a Modification to the Redevelopment Plan for Redevelopment Project No. 1 (the "Redevelopment Plan Modification"), the proposed modification of Tax Increment Financing District No. 1-3 (a housing district), and the proposed adoption of a modified Tax Increment Financing Plan (the "TIF Plan") therefor (the Redevelopment Plan Modification and the TIF Plan are referred to collectively herein as the "Plans"), all pursuant to and accordance with Minnesota Statutes, Sections 469.090 to 469.1082, and Sections 469.174 to 469.1799, inclusive, as amended, in an effort to encourage the development and redevelopment of certain designated areas within the City; and

Section 2. Notice of Public Hearing, Filing of Plans. City staff is authorized and directed to work with Ehlers & Associates, Inc., to prepare the Plans and to forward documents to the appropriate taxing jurisdictions including Clay County and Independent School District No. 146. The City Administrator is authorized and directed to cause notice of the hearing, together with an appropriate map as required by law, to be published at least once in the official newspaper of the City not later than 10, nor more than 30, days prior to October 13, 2014, and to place a copy of the Plans on file in the City Administrator's office at City Hall and to make such copy available for inspection by the public.

Dated: August 11, 2014

Adopted:

Eugene Prim, Mayor

ATTEST:

Michael Rietz, City Administrator

Mayor Prim next stated that he would like to hold a special meeting to go over the preliminary budget. Mayor Prim stated that he would like to see the levy at a lower rate. Mayor Prim also stated that council needs to look at the summary of projects recommended, see what projects we are going to look at for the future.

Mayor Prim adjourned the meeting at 8:05 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor