

**Barnesville City Council**  
**Regular Meeting**  
**August 12, 2019**

Mayor Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Scott Bauer, Tonya Stokka, Dawn Stuvland, Don Goedtke, Alyssa Bergman and Brad Field. Others in attendance were City Administrator Mike Rietz, Lukas Croaker with Ohnstad Twitchell, City Clerk Jeri Reep, EDA Director Karen Lauer, Police Chief Dean Ernst, Finance Director Laurie Schell, Public Works Supt. Don Williams, Ambulance Manager Scott Nelson, Charlie Revering with NWS, Dan Hanson with Moore Engineering, Dara Lee with Clay County HRA, Jason Rick, Dionne Merkens, Richard Sylvester and Michael Stein with the Record Review.

Mayor Prim asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated there were no additions or corrections to the agenda.

**08-12-19-01** Motion by Mr. Goedtke and second by Mrs. Stuvland to approve the agenda as presented. Motion carried.

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

**08-12-19-02** Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the consent agenda. Motion carried. The following items were on the consent agenda.

1. Approval of the minutes of the regular meeting held on July 8, 2019.
2. Approval of the department head reports.
3. Approval of check numbers 86737-86906 and EFT payments for a total of \$1,113,110.92.
4. Approval of the VFW Post 4628 liquor request for Aug. 24-25, 2019.
5. Approval of Ratzos' Pool Hall liquor request for Aug. 24-25, 2019.
6. Approval of the MRES training, Sept. 10-11, 2019 and Sept. 24-25, 2019.
7. Approval of the EDA Incubator internet at the 1 GB speed.
8. Approval of the FOX Cable PCM and join the FOX Cable PCM.
9. Approval of the additional KOOL-TV and KRDK & PPB channels
10. Approval of the personnel policy amendments relating to cybersecurity.
11. Approval of the waiver of Irregularity and Appeal for the EDA for the Commercial Condo Project.
12. Approval of the gambling permit for the Rod & Gun Club on Aug. 24, 2019.
13. Approval to hire Tanya Bautista Ordones as a Liquor Store Clerk.

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 an update on the property at 508 6<sup>th</sup> Street NW. City Administrator Mike Rietz stated that the property is 95-98% complete, the lot has not been hydroseeded or sodded. Mr. Kartchner deposited \$10,000.00 with the City to be held until the project was completed.

**08-12-19-03** Motion by Mr. Bauer and second by Mrs. Stokka to release the \$10,000.00 deposit to Randy Kartchner for the property at 508 6<sup>th</sup> Street NW. Motion carried.

Mayor Prim stated the next item on the agenda was the Community Museum request.

Mr. Richard Sylvester approached council members and asked council members for permission to use the upstairs of the Old City Hall as museum space. Mr. Sylvester stated that he is interested in forming a historical museum for the City. Items for the museum could be loaned or donated to the City Museum. Mayor Prim stated that a plan would need to be submitted for a Community Museum. Council member Field asked that this item be brought to the Building and Grounds committee.

Mayor Prim stated the next item on the agenda was the Clay County HRA request.

Ms. Dara Lee with the Clay County HRA next approached council members and asking that the City consent to the Special Benefit Tax for 2020 that was levied by the Clay County HRA Board of Commissioners. The City of Barnesville impact would be \$10,580.00.

**08-12-19-04** Motion by Mr. Field and second by Mr. Bauer to approve to consent to the Special Benefit Tax for 2020 with the Clay County HRA in the amount of \$10,580.00. Motion carried.

Mayor Prim stated the next item on the agenda was the Barnesville Community Fund pledge request.

Advisory Board Chair Dionne Merkens next approached council members and thanked them for their support of the Community Fund. Ms. Merkens was asking for a donation of \$1500.00 per year for a four-year commitment.

**08-12-19-05** Motion by Mr. Bauer and second by Mrs. Stokka to approve the donation of \$1500.00 per year for a four-year commitment to the Barnesville Area Community Fund. Motion carried.

Mayor Prim stated the next item on the agenda was the Variance and CUP request at 502 4<sup>th</sup> Ave NW.

City Administrator Mike Rietz informed council members that the Planning Commission had met earlier and their recommendation is to deny the variance request, and approve the CUP request with conditions set forth in the CUP. The homeowners have requested a variance for a garage at 502 4<sup>th</sup> Ave NW. Staff recommendation is to deny this request, to avoid setting a precedent for how we address the 15-foot setback for buildings of this size in the future.

The CUP request is required in this case because the proposed 1800 sq. ft. building would result in the accessory space on the property exceeding the 688 sq. ft. ground coverage of the dwelling.

**08-12-19-06** Motion by Mr. Bauer and second by Mrs. Stokka to deny the variance request at 502 4<sup>th</sup> Ave NW. Motion carried.

**08-12-16-07** Motion by Mr. Bauer and second by Mrs. Stuvland to approve the CUP request at 502 4<sup>th</sup> Ave NW, with the conditions set forth in the CUP. Motion carried.

Mayor Prim stated the next item on the agenda was the public hearing for the Commercial Condo Project.

**08-12-19-08** Motion by Mrs. Stokka and second by Mr. Goedtke to open the public hearing for the Commercial Condo project at 7:35 p.m. Motion carried.

City Engineer Dan Hanson next approached council members and discussed the final assessment role for the Commercial Condo project. These assessments represent the sewer and water costs on the project and 50% of the professional services costs. The EDA will be paying for the road costs and the other 50% of the professional services costs up from and including them in the lot price. These assessments will be over 15 years at 4.5% interest. Mayor Prim asked if there were any comments or questions. There were no comments or questions.

**08-12-19-09** Motion by Mrs. Stokka and second by Mrs. Stuvland to close the public hearing for the Commercial Condo project at 7:39 p.m. Motion carried.

**08-12-19-10** Motion by Mr. Bauer and second by Mrs. Stokka to approve the Commercial Condo project assessment resolution. Upon a roll call vote, the following voted aye: Council member Stokka, Goedtke, Stuvland, Bauer, Bergman and Field. The following were absent: none. Motion carried.

**CITY OF BARNESVILLE  
COUNTY OF CLAY  
STATE OF MINNESOTA  
RESOLUTION ADOPTING ASSESSMENT  
RESOLUTION NO. 08-12-19-10**

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed assessment for Improvement No. 2019-01 regarding the installation of water and sanitary sewer and streets to the Planned Unit Development within Barnesville Commercial Park 4th Addition.

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable in conjunction with the parcel's property tax payment schedule beginning the following year, and shall bear interest at the rate of 4.50 percent per annum from the date of certification to the county.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property with no interest having accrued. An owner may at any time thereafter, pay to Clay County the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.
4. The city administrator shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the council this 12th day of August, 2019.

---

Eugene Prim, Mayor

---

Michael Rietz, City Administrator

Mayor Prim stated the next item on the agenda was the Task Order #5 for the engineering on 13<sup>th</sup> Street.

City Engineer Dan Hanson discussed with council members Task Order #5 to do the preliminary engineering for the 13<sup>th</sup> Street paving project and to produce the Feasibility Study.

**08-12-19-11** Motion by Mr. Bauer and second by Mrs. Stokka to approve Task Order #5 with Moore Engineering. Motion carried.

Mayor Prim stated the next item on the agenda was the Resolution Ordering the Feasibility Report.

**08-12-19-12** Motion by Mr. Field and second by Mr. Goedtke to approve the Resolution Ordering Preparation of Report on Improvement District 2020-1. Upon a roll call vote, the following voted aye: Council member Stokka, Goedtke, Stuvland, Bauer, Bergman and Field. The following were absent: none. Motion carried.

**CITY OF BARNESVILLE  
COUNTY OF CLAY  
STATE OF MINNESOTA  
RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT  
RESOLUTION NO. 08-12-19-12**

WHEREAS, it is proposed to create Infrastructure Improvement District 2020-1 which consists of improvement of the street and installation of a bike path along 13th St. SE between 2nd Ave SE and 9th Ave. SE. and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

That the proposed improvement, called Infrastructure Improvement District No. 2020-1 be referred to Dan Hanson of Moore Engineering for study and that that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the council this 12th day of August, 2019.

---

Eugene Prim, Mayor

---

Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the Geotech Consultant proposal for the wastewater plant project.

City Engineer Dan Hanson stated that 2 proposals were received. Staff is recommending the proposal from Braun Intertec for the work that needs to be done as a part of the Wastewater project. The proposal from Braun Intertec is \$26,364.00.

**08-12-19-13** Motion by Mr. Goedtke and second by Mrs. Stokka to approve the Braun Intertec proposal in the amount of \$26,364.00 for the Wastewater Treatment Plant Project. Motion carried.

Mayor Prim stated the next item on the agenda was the 1<sup>st</sup> reading of Ordinance 2019-02.

City Administrator Mike Rietz stated that this Ordinance would allow people to have a recreational fire in their backyard as long as they are only burning wood in an area less than 3 feet in diameter and less than 2 feet in height that is covered with a spark arrester. Mr. Rietz stated that there will be some changes made to this Ordinance for the 2<sup>nd</sup> reading.

**08-12-19-14** Motion by Mrs. Stokka and second by Mrs. Bergman to approve the 1<sup>st</sup> reading of Ordinance 2019-02. Motion carried.

**CITY OF BARNESVILLE  
ORDINANCE NO. 2019-02**

**AN ORDINANCE AMENDING CHAPTER 6-04, SECTION 6-0401 OF THE  
MUNICIPAL CODE REGARDING OPEN BURNING.**

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

CHAPTER 6-04, SECTION 6-0401, **Subd. 4 Exceptions** is amended as follows:

**D.** Recreational fires are defined as the burning of wood materials other than rubbish or treated lumber where fuel being burned consists of a total fuel area of less than 3 feet in diameter and less than 2 feet in height and are not contained in an incinerator, outdoor fireplace or barbecue pit and covered with a spark arrester and with a total fuel area of 3 feet or less in diameter and 2 feet in height. Materials prohibited from being burned include, but are not limited to; treated lumber, plastic, rubbish, household waste, etc. Recreational fires are permitted under the following conditions: a 50 25 foot clearance is maintained from any structure, fence, deck, fuel tank, or combustible material or property line is maintained, buckets, shovels or garden hoses are readily available, and the fire is constantly attended, and a special permit is issued by the Fire Warden or duly authorized agent. It is unlawful to allow campfires except in

pits conforming to the specifics above located in designated campgrounds. Fires that are found to not be in conformance with this section may be ordered to be extinguished by the Police Department.

PASSED AND ADOPTED by the Barnesville City Council this \_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

---

Eugene Prim, Mayor

ATTEST:

---

Jeri Reep, City Clerk

First Reading: August 12, 2019  
Second Reading: September 9, 2019  
Adopted: September 9, 2019  
Publication: September 16, 2019

Mayor Prim stated the next item on the agenda was the Liquor Store market study.

City Administrator Mike Rietz stated that the Liquor Store Task Force has met to discuss the construction of a new Liquor Store. The Task Force is recommending to re-doing the market study that was completed in 2015. This will give us a picture of the revenue that we can expect from the store basted on the site, the size of the sales floor and the competition in the area. The cost of the study is \$6,500.00. This is an unbudgeted item in the Liquor Fund.

**08-12-19-15** Motion by Mr. Field and second by Mrs. Bergman to authorize Dakota Worldwide to conduct a market study for the Liquor Store in the amount of \$6,500.00. Motion carried.

Mayor Prim stated the next item on the agenda was the street cut policy.

City Administrator Mike Rietz that there are two changes in the street cut policy. Staff is recommending adding language that adds \$100.00 to the permit fee when a street cut involves working on sewer or water mains or service as part of the project. The other change is an increase in the base cost of the permit. The proposed change would be \$5.00 a square. foot instead of the \$3.00 square foot presently.

**08-12-19-15** Motion by Mrs. Stokka and second by Mr. Goedtke to approve the amended Street Cut Policy as recommended by the Public Works Committee. Motion carried.

Mayor Prim stated the next item on the agenda was the priority session discussion. Mayor Prim stated there was nothing new to report.

Mayor Prim stated the next item on the agenda was the water and sewer lines protection plan mailings. City Administrator Mike Rietz informed council members that letters were mailed out on August 12<sup>th</sup> to customers.

Mayor Prim stated the next item to discuss was the board and commission reports. Council members reported on the boards and commissions they serve on.

Mayor Prim adjourned the meeting at 8:13 p.m.

Submitted by:

Attest:

---

Jeri Reep  
City Clerk

---

Eugene Prim  
Mayor