

**Barnesville City Council
Regular Meeting
February 10, 2020**

Mayor Rick called this regular meeting to order at 7:00 p.m. Members present were Council members Scott Bauer, Dawn Stuvland, Don Goedtke, Tonya Stokka, Alyssa Bergman, and Brad Field. Others in attendance were City Administrator Mike Rietz, Lucas Croaker with Ohnstad Twitchell, City Clerk Jeri Reep, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Finance Director Laurie Schell, Public Works Supt. Don Williams, Ambulance Manger Scott Nelson, Charlie Revering with NWS, Dan Hanson with Moore Engineering, Mitch Landphere, Hope Braton, Mark Braton, and Michael Stein with the Record Review.

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

02-10-20-01 Motion by Mr. Goedtke and second by Mrs. Stokka to approve the agenda as presented. Motion carried.

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

02-10-20-02 Motion by Mrs. Stuvland and second by Mrs. Bergman to approve the consent agenda. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the minutes of the January 13, 2020 city council meeting.
2. Approval of department head reports.
3. Approval of check numbers 88108-88197 and EFT payments for a total of \$823,189.09.
4. Approval of gambling permit for Barnesville Lions Club-April 2, 2020
5. Approval of gambling permit for Barnesville Lions Club-July 9-11, 2020
6. Approval of gambling permit for Barnesville Lions Club-Aug. 29, 2020
7. Approval of gambling permit for Barnesville Thursday Nite Lions-April 24, 2020
8. Approval of gambling permit for Barnesville Thursday Nite Lions-July 10-12, 2020
9. Approval of gambling permit for Barnesville Thursday Nite Lions-Aug. 28, 2020
10. Approval of gambling permit for Barnesville Rod & Gun Club
11. Approval of 2019 SAIFI, SAIDI & CAIDI reports.

Mayor Rick stated the next item on the agenda was the boards and commission reports.

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

Mayor Rick stated the next item on the agenda was the Public Forum. Mayor Rick asked if there were any citizens present to be heard. There were none.

Mayor Rick stated the next item on the agenda was the Public Hearing for the School District street vacation request.

02-10-20-03 Motion by Mr. Field and second by Mr. Goedtke to open the public hearing at 7:05 p.m. for the Barnesville School District. Motion carried.

City Administrator Mike Rietz informed council members that the School is requesting that we vacate a portion of 5th Ave SE, so that the north edge of the right-of-way lines up with the north edge to the east.

Mayor Rick asked if there were any comments from the public. There were none.

02-10-20-04 Motion by Mr. Field and second by Mr. Bauer to close the public hearing at 7:07 p.m. Motion carried.

02-10-20-05 Motion by Mr. Bauer and second by Mrs. Stokka to approve the resolution vacating a portion of right-of-way along the north edge of the 5th Ave. SE right-of-way 42.04 ft. in width for a distance of 300.09 ft. East for the intersection with the right-of-way for 5th Street SE. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Bergman, and Field. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA
RESOLUTION NO. 02-10-20-05**

**RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY ALONG THE
NORTH EDGE OF THE 5TH AVE. SE RIGHT-OF-WAY 42.04 FT. IN WIDTH
FOR A DISTANCE OF 300.09 FT. EAST FROM THE INTERSECTION WITH
THE RIGHT-OF-WAY FOR 5TH ST. SE.**

BE IT RESOLVED by the City Council (the "Council") for the City of Barnesville, Minnesota (the "City"), that it is in the public interest to vacate a portion of right-of-way along the north edge of the 5th Ave SE right-of-way 42.04 ft. in width for a distance of 300.09 ft. east from the intersection with the right-of-way for 5th St. SE. 4th St. SE between 4th Ave. SE and 5th Ave. SE and 5th St. SE between 4th Ave. SE and 5th Ave. SE.

Dated:

Adopted:

Jason Rick, Mayor

ATTEST:

Michael Rietz, City Administrator

Mayor Rick stated the next item on the agenda was the Massage Therapy code change request.

City Administrator Mike Rietz stated that the Liquor, Buildings and Ordinance Committee discussed this at their meeting. A discussion on expanding where massage therapies are located was discussed. The City became aware of a massage therapist providing massage therapy services out of her house and informed her that the City Code wouldn't allow it because it is only allowed in areas that are zoned commercial or industrial.

Mr. Mark Braton asked council members to revisit this, so that a massage therapist could work in a residential area.

Council member Field stated that he is comfortable with the present policy.

Mayor Rick stated that this item will be reviewed by the committee, and tabled until the March regular meeting.

Mayor Rick stated that the next item on the agenda was the 2nd Reading of Ordinance 2020-05.

02-10-20-06 Motion by Mr. Bauer and second by Mrs. Stuvland to approve the 2nd reading of Ordinance 2020-05. Motion carried.

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE CITY OF BARNESVILLE ANNEXING LAND LOCATED IN CLAY COUNTY, MINNESOTA, TO THE CITY OF BARNESVILLE, CLAY COUNTY, MINNESOTA, PURSUANT TO MINN. STAT. § 414.033, SUBD. 2(3) PERMITTING ANNEXATION BY ORDINANCE.

WHEREAS, the City of Barnesville has received a petition for annexation from all landowners of the property to be annexed; and

WHEREAS, under state law, the landowner has the right to request annexation into the City of Barnesville, and the City of Barnesville has authority to annex such property.

NOW, THEREFORE, THE CITY OF BARNESVILLE DOES HEREBY ORDAIN:

Section 1. That the unincorporated land legally described in Exhibit A, which is attached hereto and incorporated herein by reference, located in the Town of Humboldt, Clay County, Minnesota, is land that is contiguous to and abuts the municipal corporate limits of the City of Barnesville, Clay County, Minnesota; is land that is 120 acres or less in size; is land that is not presently served by public wastewater facilities, and for which public wastewater facilities are not otherwise available than through the City of Barnesville; and is land that is existing or proposed for immediate urban or suburban development.

Section 2. That the property-owner of the property legally described in Exhibit A has requested annexation for purposes of immediately redeveloping the land for additional urban or suburban commercial uses and has submitted a petition to the City Council of the City of Barnesville for annexation of said land.

Section 3. That the City of Barnesville has, or will, hold a public hearing pursuant to Minn. Stat. § 414.033, subd. 2b, on January 13, 2020, following thirty (30) days' written notice by certified mail to the Town of Humboldt and to all landowners within and contiguous to the area, legally described in Exhibit A, to be annexed.

Section 4. That the corporate limits of the City of Barnesville are hereby extended to include the land legally described in Exhibit A, and shown on the map attached hereto and incorporated herein by reference as Exhibit B, containing approximately 36.93 acres, and the same is hereby annexed to be included within the City of Barnesville, Clay County, Minnesota.

Section 5. That the population of the area legally described in Exhibit A, and hereby annexed is 0.

Section 6. That with respect to the property taxes payable on the area legally described in Exhibit A, hereby annexed, the City of Barnesville shall make a cash payment to the Town of Humboldt in an amount equal to the Town of Humboldt's lost revenue for the period, \$29.50 per year for five years, as follows:

- a. In the first year following the year the City of Barnesville could first levy on the annexed area, a one-time payment of \$147.50.

Section 7. That the City Administrator of the City of Barnesville is hereby authorized and directed to file a copy of this Ordinance with the Minnesota Office of Administrative Hearings Municipal Boundary Adjustments Office, the Minnesota Secretary of State, the Clay County Auditor, and the Humboldt Township Clerk.

Section 8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Minnesota Office of Administrative Hearings.

Passed and adopted this 10th day of February, 2020.

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

Date of First Reading: January 13, 2020

Date of Second Reading and Final Passage: February 10, 2020

Date of Publication February 17, 2020

Mayor Rick stated the next item on the agenda was the Summary Ordinance 2020-05.

02-10-20-07 Motion by Mr. Bauer and second by Mrs. Bergman to approve the Summary Ordinance 2020-05. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2020-05

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An Ordinance of the City of Barnesville Annexing Land Located in Clay County, Minnesota, to the City of Barnesville, Clay County, Minnesota, Pursuant to Minn. Stat. §414.033, Subd. 2(1) Permitting Annexation by Ordinance.

2. Summary of Ordinance:

This ordinance annexes 36.93 acres of land east of 13th St. SE and south of 2nd Ave. SE. 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 10th day of February, 2020.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: January 13, 2020
Second Reading: February 10, 2020
Adopted: February 10, 2020
Published: February 17, 2020

Mayor Rick stated the next item on the agenda was the 2nd Reading of Ordinance 2020-04, Rezoning of a portion of the Commercial Park from C-3 to R-1.

City Administrator Mike Rietz stated that this Ordinance is approving the rezoning request from the EDA to the rezone 3.19 acres in the SE corner of Block 1, Lot 4 of the Commercial Park 3rd Addition as recommended by the Planning Commission.

02-10-20-08 Motion by Mrs. Stokka and second by Mr. Goedtke to approve the 2nd reading of Ordinance 2020-04. Motion carried.

ORDINANCE NO. 2020-04

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BARNESVILLE, MINNESOTA, AS ADOPTED IN SECTION 7-0201 OF THE BARNESVILLE CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARNESVILLE, MINNESOTA:

SECTION 1. Amendment. The Official Zoning Map of the City of Barnesville, Minnesota, as adopted in Section 7-0201 of the Barnesville City Code (the Barnesville Zoning Map), is hereby amended as follows:

The following listed parcel is hereby rezoned from C-3(Commercial Park District) to R-1(Single Family Residential District):

3.19 acres in the SE corner of block 1, lot 4 of the Barnesville Commercial Park 3rd Addition.

SECTION 2. Amendment of Zoning Map. The proper City Officials are hereby authorized to amend and change the Barnesville Zoning Map to correspond thereto.

SECTION 3. 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 10th day of February, 2020.

APPROVED BY:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Consideration:	January 13, 2020
Second Consideration:	February 10, 2020
Approved:	February 10, 2020
Date of Publication:	February 17, 2020

Mayor Rick stated the next item on the agenda was the approval of the Summary Ordinance 2020-04.

02-10-20-09 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the Summary Ordinance 2020-04. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2020-04

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An Ordinance to Amend the Official Zoning Map of the City of Barnesville, Minnesota, as Adopted in Section 7-0201 of the Barnesville City Code.

2. Summary of Ordinance:

This ordinance rezones the 3.19 acres in the SE corner of block 1, lot 4 of the Barnesville Commercial Park 3rd Addition from C-3 to R-1.

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 10th day of February, 2020.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: January 13, 2020
Second Reading: February 10, 2020
Adopted: February 10, 2020
Published: February 17, 2020

Mayor Rick stated the next item on the agenda was the 1st reading of Ordinance 2020-03, an Ordinance on accessory buildings.

City Administrator Mike Rietz informed council members that this Ordinance changes how the living space on a property is calculated related to the Conditional Use Permit (CUP) requirement for accessory space. The Planning Commission is recommending approval of this Ordinance.

02-10-20-10 Motion by Mr. Bauer and second by Mrs. Stokka to approve the 1st reading of Ordinance 2020-03. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2020-03
AN ORDINANCE TO AMEND AND REENACT SECTION 1, SUBDIVISION 2 OF
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 2,500 square feet; and in all cases the total floor area may not exceed the ground coverage of the dwelling unless approved by a conditional use permit. The ground coverage shall be calculated as the square footage within the perimeter of the house, less any attached garage. For all houses except single story rambler style homes, the ground coverage shall be calculated as the square footage within the perimeter of the house, less any attached garage, multiplied by 150%, unless approved by a conditional use permit.

PASSED AND ADOPTED by the Barnesville City Council this 10th day of February, 2020.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: February 10, 2020
Second Reading: March 9, 2020
Adopted: March 9, 2020
Published: March 16, 2020

Mayor Rick stated the next item on the agenda was the Resolution for the Parkland dedication.

City Administrator Mike Rietz informed council members that the Park Board has reviewed the information in the Comprehensive Plan that shows the need for two neighborhood parks and one larger park to serve community-wide recreational needs in the future. The Park Board determined that those needs would require about 20 acres of land and that they would like the amount of parkland to maintain a ration of 12 acres per 1000 in population. This Resolution develops the basis for the parkland dedication and can be reviewed and updated from time-to-time. This also allows for minimal changes to the City Code at this time and in the future. The City will need to make a transfer from the General Fund into the Park Fund for the Del Aces Gilbertson 3rd Subdivision. The General Fund will then be repaid over time as lots in the development sell. The resolution and ordinance are necessary to bring the method we use regarding parkland dedication in compliance with State Statues. These documents have been reviewed by the City Attorney.

02-10-20-11 Motion by Mrs. Stokka and second by Mr. Bauer to approve the Resolution Memorializing the Methodology used to establish park land dedication and payment in-lie-of parkland dedication. Upon a roll call vote the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Bergman and Field. The following voted nay; none. Motion carried.

RESOLUTION NO. 02-10-20-11

RESOLUTION MEMORIALIZING THE METHODOLOGY USED TO ESTABLISH PARK LAND DEDICATION AND PAYMENT IN-LIEU-OF PARK LAND DEDICATION

WHEREAS, Minn. Stat. Sec. 462.358, Subd. 2b(a) grants the City the authority to require that a reasonable portion of the buildable land, as defined by City Ordinance, of any proposed subdivision be dedicated to the City for parks, recreational facilities as defined by Minn. Stat. Sec. 471.91, and playgrounds; and

WHEREAS, Minn. Stat. Sec. 462.358, Subd. 2b(c) provides that the City may “accept a cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision, based on the average fair market value of the unplatted land for which park fees have not already been paid that is, no later than at the time of final approval or under the city’s adopted comprehensive plan, to be served by municipal sanitary sewer and water service or community septic and private well as authorized by state law. For purposes of redevelopment on developed land, the municipality may choose to accept a cash fee based on fair market value of the land no later than the time of final approval;” and

WHEREAS, Minn. Stat. Sec. 462.358, Subd. 2c(a) provides as follows:

Subd. 2c. Nexus. (a) There must be an essential nexus between the fees or dedication imposed under subdivision 2b and the municipal purpose sought to be achieved by the fee or dedication. The fee of dedication must bear a rough proportionality to the need created by the proposed subdivision or development.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Barnesville, Minnesota does hereby memorialize the methodology and computations that the City made in setting park land dedication requirements and payment in-lieu-of park land dedication in February 2020:

1. **Need for Park Land.** In November 2019, the Park Board determined that it is in the best interest of the City and its residents to establish and maintain a minimum of twelve (12) acres of park land for every one thousand (1,000) persons. The Park Board based its analysis on the Comprehensive Plan and determined that the future needs of the City and its residents require an additional twenty (20) acres of park land.
2. **Residential Development – Persons per Household.** Residential development yields an average of three (3) persons per household.
3. **R-1 and R-2 Zoned Land.** The average fair market value of unplatted land zoned R-1 or R-2 is twelve thousand five hundred dollars (\$12,500) per acre.
4. **Basis for Payment in-lieu-of Land Dedication.** Twenty (20) acres of additional park land at the current fair market value of twelve thousand five hundred dollars (\$12,500) per acre equates to two hundred fifty thousand dollars (\$250,000). In the City, on average, there are three (3) persons per household in new residential development. If the City desires to acquire twenty (20) additional acres of park land, the amount of housing needed to reach a minimum of twelve (12) acres of park land per one thousand (1,000) residents is eight hundred thirty-four (834) housing units. Therefore, a fee of three hundred dollars (\$300) per unit is necessary to secure funding to acquire an additional twenty (20) acres of park land to meet the City's future park land needs based on its Comprehensive Plan.

Dated: February 10, 2020

APPROVED:

Jason Rick, Mayor

ATTEST:

Michael Rietz, City Administrator

05-10-20-12 Motion by Mrs. Stokka and second by Mrs. Bergman to approve the 1st reading of Ordinance 2020-06. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2020-06**

**AN ORDINANCE AMENDING CHAPTER 7-14, SEC. 7-1411, SUBDIVISION 14,
PARAGRAPHS B AND C OF THE MUNICIPAL CODE REGARDING PARKLAND
DEDICATION.**

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

CHAPTER 7-14, Section 7-1411, Subd. 14 is amended to read as follows:

Subd. 14 Parkland Dedication Requirements

B. Parkland Dedication. In all new residential subdivisions, land must be dedicated for public recreation or open space as established by the Council. The dedicated land must be in addition to property dedicated for streets, alleys, easements, water detention, or other public ways. The amount of land dedicated will be based on the type of development, according to the following:

Type of Dwelling Unit	Minimum Area Dedicated Per Dwelling Unit
Single or Two-Family	700 <u>1045</u> square feet
Multiple Family	500 <u>1045</u> square feet

1. Land to be dedicated must be reasonably suitable for its intended use as determined by the City and must be at a location convenient to the public to be served. Factors used in evaluating the adequacy of proposed park and recreation areas must include size, shape, topography, geology, hydrology, tree cover, access and location.

2. When land is dedicated and deeded to the City for park purposes, it will be the responsibility of the City to maintain such dedicated property.

3. The preliminary plat must show the location and dimensions of all areas to be dedicated in this manner.

4. When a proposed park, playground, recreation area or other public ground has been indicated on the City's Official Map or within the Comprehensive Plan and is located in whole or in part within a proposed plat, it must be dedicated to the appropriate governmental unit.

5. Land area conveyed or dedicated to the City will not be used in calculating density requirements of the Zoning Code, City Code Title VII.

6. Wetlands, ponding areas and drainage ways accepted by the City may not be considered in the park land and/or cash contribution to the City.

C. Payment-in-Lieu-of-Dedication. When, in the opinion of the City and at its sole discretion, it is impractical, inappropriate, and/or in the best interest of the City for a subdivision to not make a dedication of land for public use, the applicant will be required to pay a cash fee based on the type and number of dwelling units. Cash payments in lieu of parkland dedication will be made in accordance with the following:

Type of Dwelling Unit	Minimum Amount of Cash Dedicated Per Dwelling Unit
Single or Two-Family	\$300
Multiple Family	\$200 <u>\$300</u>

(SEE SEC. 1-0904, FEES, RATES AND CHARGES SCHEDULE)

1. Park cash contributions are to be calculated and paid in full at the time of final plat approval.

2. Cash contributions for parks and trails must be deposited in either the City's Park Fund or similar fund and will only be used for acquisition and development of future parks and trails or development of existing sites as determined by the City. Additionally, said funds may be utilized anywhere within the City park and trail systems.

PASSED AND ADOPTED by the Barnesville City Council this 9th day of March, 2020.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: February 10, 2020
Second Reading: March 9, 2020
Adopted: March 9, 2020
Publication: March 16, 2020

Mayor Rick stated the next item on the agenda was the 1st Reading of Ordinance 2020-07 regarding Ambulance fees.

City Administrator Mike Rietz stated that this Ordinance establishes a fee for those occasions when the ambulance is called to a scene, provides some treatment and then the person declined to be transported.

02-10-20-13 Motion by Mr. Field and second by Mrs. Stokka to approve the 1st reading of Ordinance 2020-07. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE 2020-07
AN ORDINANCE AMENDING CHAPTER 8-01, SEC. 2-0114 OF THE
MUNICIPAL CODE REGARDING AMBULANCE FEES**

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

CHAPTER 8-01, SECTION 2-0114 is amended to read as follows:

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

Basic Life Support, Non-Emergency	\$1,100
Basic Life Support, Emergency	\$1,200
Advanced Life Support-1	\$1,500
Advanced Life Support-2	\$1,600
<u>Treat and Release</u>	<u>\$ 500</u>

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

PASSED AND ADOPTED by the Barnesville City Council this 9th day of March, 2020.

Approved:

Jason Rick, Mayor

Attest:

Jeri Reep, City Clerk

First Reading February 10, 2020
Second Reading: March 9, 2020
Adopted: March 9, 2020
Published: March 16, 2020

Mayor Rick stated the next item on the agenda was the Resolution authorizing reimbursements from bond proceeds for the Liquor Store.

City Administrator Mike Rietz informed council members that with the architect to do the initial planning for the Liquor Store project, we will be incurring some costs. Mr. Todd Hagen, our financial advisor, is encouraging us to pass a resolution to allow us to repay ourselves from the bond proceeds for some of the upfront costs. This does not commit us to bonding, nor spending the amount in the resolution.

02-10-20-14 Motion by Mr. Field and second by Mrs. Bergman to approve the Resolution declaring the official intent of Barnesville to reimburse certain expenditures from the proceeds of bonds to be issued by the City. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Bergman and Field. The following were absent: none. Motion carried.

BARNESVILLE, MINNESOTA

RESOLUTION NO. 02-10-20-14

DECLARING THE OFFICIAL INTENT OF BARNESVILLE TO REIMBURSE
CERTAIN EXPENDITURES FROM THE PROCEEDS
OF BONDS TO BE ISSUED BY THE CITY

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the City has determined to make this declaration of official intent (“Declaration”) to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

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

1. The City proposes to undertake the construction of a municipal liquor store in 2020 (the "Project").

2. The City reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of bonds in an estimated maximum principal amount of \$850,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Approved by the City Council of Barnesville this 10th day of February, 2020.

BARNESVILLE, MINNESOTA

Jason Rick, Mayor

Attest:

Jeri Reep, City Clerk

Mayor Rick stated the next item on the agenda was the Resolution applying for PFA funding.

City Administrator Mike Rietz informed council members that this resolution is necessary to complete the application for PFA funding for the wastewater lagoon repair project.

02-10-20-15 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the Resolution applying for PFA funding. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Bergman and Field. The following were absent: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA
RESOLUTION NO 02-10-20-15
RESOLUTION OF APPLICATION**

BE IT RESOLVED that the City of Barnesville is hereby applying to the Minnesota Public Facilities Authority for a loan from the Clean Water Revolving Fund for improvements to its municipal wastewater treatment system as described in the loan application.

BE IT FURTHER RESOLVED that the City of Barnesville estimates the loan amount to be \$1,638,000 or the as-bid cost of the project.

BE IT FURTHER RESOLVED that the City of Barnesville has the legal authority to apply for the loan, and the financial, technical, and managerial capacity to repay the loan and ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED that the City of Barnesville hereby expresses its official intent to use proceeds of this loan to reimburse construction expenditures made prior to the issuance of its general obligation bond to the Public Facilities Authority.

I CERTIFY THAT the above resolution was adopted by the Barnesville City Council on February 10, 2020.

Jason Rick, Mayor

Attest:

Michael Rietz, City Administrator

Mayor Rick stated the next item on the agenda was to approve plans for the Wastewater lagoons and authorize bidding.

City Administrator Mike Rietz stated that this is for the wastewater lagoon repair and set a bid opening for March 4th. This will allow staff to have the prices for the March regular council meeting.

02-10-20-16 Motion by Mr. Goedtke and second by Mrs. Stuvland to approve the plans for the wastewater treatment system improvements, secondary cell #2 reconstruction and authorize advertising for bids. Motion carried.

Mayor Rick stated the next item on the agenda was the Task Order #7, the Storm Water Basin analysis.

City Engineer Dan Hanson stated this Task Order is to do an analysis of the existing storm water ponds in the area of the Commercial Park and Del Acres Gilbertson to determine if further development of the ponds is currently necessary.

02-10-20-17 Motion by Mr. Goedtke and second by Mrs. Stokka to approve the Task Order #7 with Moore Engineering for the Commercial Park and Del Acres Gilbertson area. Motion carried.

Mayor Rick stated the next item on the agenda was to set a date for a public information meeting on the 13th Street trail.

City Administrator Mike Rietz informed council members that the Personnel and Finance committee is recommending that we hold a special Council meeting as an informational meeting related to the bike trail along 13th Street. This trail is going to require the removal of some trees and will put something new near the back of some of the properties. The trees that will be removed are on City right-of-way and the trail will be on the right-of-way.

02-10-20-18 Motion by Mrs. Stokka and second by Mrs. Stuvland to set Thursday, March 5th at 7:00 p.m. for the informational meeting on 13th Street trail. Motion carried.

Mayor Rick stated the next item on the agenda was the FOX Corporation Affiliation agreement.

TEC Manager Guy Swenson informed council members that FOX settled with the NCTC rates. These rates are slightly higher than we had hoped, but much lower than where FOX originally started the negotiation. Staff recommends accepting the FOX Corporation Affiliation agreement for the January 1, 2020 through December 1, 2023 period.

02-10-20-19 Motion by Mr. Field and second by Mrs. Bergman to approve and authorize TEC Manager Guy Swenson to execute the FOX Corporation Affiliation Agreement. Motion carried.

Mayor Rick stated the next item on the agenda was the Eaton COOPER/Cannon AMI meter purchase.

TEC Manager Guy Swenson informed council members that this meter purchase is a budgeted item. This purchase of 126 meters will nearly complete the conversion to automated meter reading.

02-10-20-20 Motion by Mr. Field and second by Mrs. Bergman to approve and authorize the purchase of 126 3 phase AMI enabled electric meters, not to exceed \$41,791.61 from Cannon Technologies, Inc. Motion carried.

Mayor Rick stated the next item on the agenda was the Bobcat purchase.

TEC Manager Guy Swenson stated that staff is proposing to purchase a S595 T4 Bobcat skid-steer loader. This would allow TEC staff to complete the installation of the electric and fiber distribution in Gilbertson's 3rd Addition in house. The estimated savings would be \$80,000.00 to \$100,000.00 of our budget for other projects in 2020. The electric budget has \$25,000.00 set aside in the 2020 budget for equipment purchases. Staff is proposing to utilize funds from the electric, telephone, and internet budges for this purchase.

02-10-20-21 Motion by Mr. Field and second by Mrs. Stokka to approve and authorize the purchase of the S595 T4 Bobcat in the amount of \$38,777.90 plus taxes from Bobcat Company. Motion carried.

Mayor Rick stated the next item on the agenda was the Barnesville Hight School addition primary electric and fiber trunk relocation.

TEC Manager Guy Swenson stated that part of the new high school project, a 3-phase primary power and a 144-fiber trunk line will need to be moved. With the majority of this re-route being under road or boulevard, staff has requested bids from 2 contractors with boring capability. Arvig was the low bidder. Barnesville Municipal Utility and Barnesville Telephone intend to bill the School District for the actual costs associated with moving this infrastructure.

02-10-20-22 Motion by Mrs. Stokka and second by Mr. Goedtke to approve the 2 bids from Arvig. Bid 1-Electric in the amount of \$19,016.60 and Bid 2-move 144 fiber trunk line in the amount of \$28,614.92. With the total of both bids not to exceed \$47,631.52. Motion carried.

Mayor Rick stated the next item on the agenda was the priority session discussion.

Mayor Rick asked council members what date and time would work to schedule a priority session meeting.

02-10-20-23 Motion by Mrs. Stuvland and second by Mrs. Bergman to set Monday, April 13, 2020 at 6:30 p.m. for the priority session meeting. Motion carried.

Mayor Rick stated the next item on the agenda was the 2020 Elected Leaders Institute-and LMC Safety & Loss workshop. Mayor Rick stated if council members wish to go, to let staff know.

Mayor Rick adjourned the meeting at 8:28 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Jason Rick
Mayor