

**Barnesville City Council**  
**Regular Meeting**  
**March 8, 2021**

Mayor Rick called this regular meeting to order at 7:00 p.m. Member's present were Council members Brad Field, Tonya Stokka, Dawn Stuvland, Alyssa Bergman, Scott Bauer, and Don Goedtke. 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. Charlie Revering, Dan Hanson with Moore Engineering, Dana Bontjes, Dave Gross, and Michael Stein with Barnesville Record Review.

Mayor Rick asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated that a closed session to discuss a potential sale of real or personal property authorized under Minn. Stat. Sec. 13D.05, subd. 3(c) needed to be added to the agenda.

**03-08-21-01** Motion by Mr. Goedtke and second by Mrs., Bergman to approve the agenda as presented, and adding a closed session to discuss a potential sale of real or personal property authorized under Minn. Stat. Sec. 13D.05, subd. 3(c) needed to be added to the agenda. Motion carried.

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

**03-08-21-02** Motion by Mrs. Stuvland and second by Mrs. Stokka 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 February 8, 2021.
2. Approval of the minutes of the special meeting held on February 23, 2021.
3. Approval of the department head reports.
4. Approval of check numbers 90207-90296 and EFT payments for a total of \$493,609.34.
5. Approval to hire Dwayne Chevalier as Part-time paramedic.
6. Appointment of Lyal Held to a 3-year term on the Park Board.
7. Approval of resignation of Public Works employee Jared Hansen.
8. Approval of Moore Engineering Task Order No. 9-LRIP Grant Application.

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

Council member Bauer stated that the Del Acres Gilbertson 2<sup>nd</sup> Addition has sold all of the lots, and 12 lots are sold in the Del Acres Gilbertson 3<sup>rd</sup> Addition.

Council member Stokka reported that Chilin in Brville was a success, and discussed improvements discussed about the Golf Course.

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 CUP application for a Golf Simulator in the Commercial Park PUD.

City Administrator Mike Rietz informed council members that Dana and Lindsey Bontjes and Dave and Anna Gross have applied for a CUP for a Golf Simulator in a portion of the building they are planning in the Barnesville Shops and Storage area that was created as a Planned Unit Development. The Planning Commission determined that this use fits into the General Commercial use category as listed in the attached PUD standards as a Conditional Use. The Planning Commission recommends approval of the CUP, with conditions set forth in the CUP.

**03-08-21-03** Motion by Mr. Field and second by Mrs. Stokka to approve the CUP for Dana and Linsey Bontjes, and Dave and Anna Gross, Lot 4 & the S 20 feet of Lot 5, Block 3, Barnesville Commercial Park 4<sup>th</sup> Addition, with the conditions set forth in the CUP. Motion carried.

Mayor Rick stated the next item on the agenda was the 1<sup>st</sup> Reading of Ordinance 2021-02.

City Administrator Mike Rietz stated that this ordinance is removing Accessory Uses as a Conditional Use in the commercial and industrial zoning districts. City Administrator Rietz stated that he has spoken to our City Attorney and he agrees that removal of accessory uses from the list of conditional uses in commercial zones would be prudent. The Planning Commission recommends approval of this ordinance.

**03-08-21-04** Motion by Mrs. Stuvland and second by Mrs. Stokka to approve the 1<sup>st</sup> reading of Ordinance 2021-02. Motion carried.

**CITY OF BARNESVILLE  
ORDINANCE NO. 2021-02**

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 7-02, SEC. 7-0206, SUBD 3;  
SEC. 7-0207, SUBD. 3; SEC. 7-0208, SUBD. 3; SEC. 7-0209, SUBD. 3 AND SEC. 7-0210,  
SUBD. 5 OF THE MUNICIPAL CODE RELATED TO ACCESSORY USES AS A  
CONDITIONAL USE IN COMMERCIAL DISTRICTS.**

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

SECTION 1. Chapter 7-02 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

**SEC. 7-0206. C-1 CENTRAL BUSINESS DISTRICT.**

**Subd. 3. Conditional Uses**

~~N. Accessory Uses.~~

**SEC. 7-0207. C-2 COMMERCIAL DISTRICT.**

**Subd. 3. Conditional Uses**

~~C. Accessory Uses.~~

**SEC. 7-0208. C-3 COMMERCIAL PARK.**

**Subd. 3. Conditional Uses**

~~G. Accessory Uses.~~

**SEC. 7-0209. I-1 LIGHT INDUSTRIAL DISTRICT.**

**Subd. 3. Conditional Uses**

~~G. Accessory Uses.~~

**SEC. 7-0210. I-2 HIGHWAY INDUSTRIAL DISTRICT.**

~~**Subd. 5. Accessory Uses and Structures Permitted:** As provided in the C-1 District.~~

PASSED AND ADOPTED by the Barnesville City Council this 12th day of April, 2021.

APPROVED:

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Jason Rick, Mayor

ATTEST:

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Jeri Reep, City Clerk

First Reading: March 8, 2021  
Second Reading: April 12, 2021  
Adopted: April 12, 2021  
Published: April 19, 2021

Mayor Rick stated the next item on the agenda was the 1<sup>st</sup> reading of Ordinance 2021-03.

City Administrator Mike Rietz stated that this ordinance is amending the language in the City Code related to Snowmobiles, Recreational Vehicles and Golf Carts. The change made by this ordinance is that it deals with each of these types of vehicle separately and updates the recreational vehicle language and incorporates language from a League of MN Cities model ordinance. It also adds a \$15 fee for a 3-year term for a golf cart permit.

**03-08-21-05** Motion by Mrs. Stokka and second by Mr. Goedtke to approve the 1<sup>st</sup> reading of Ordinance 2021-03. Motion carried.

**CITY OF BARNESVILLE  
ORDINANCE NO. 2021-03**

**AN ORDINANCE TO AMEND SECTIONS 5-0211 AND 5-0212 OF THE REVISED BARNESVILLE CITY CODE OF 2013 RELATING TO SNOWMOBILE TRAFFIC CONTROL AND REGULATIONS AND MOTORIZED GOLF CARTS AND RECREATIONAL MOTOR VEHICLE TRAFFIC CONTROL AND REGULATIONS.**

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

SECTION 1. Section 5-0211 of the Revised Barnesville City Code of 2013 is hereby amended and reenacted to read as follows:

**SEC. 5-0211. SNOWMOBILE TRAFFIC CONTROL AND REGULATIONS.**

**Subd. 1. Definition.** A Snowmobile means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

**Subd. 2. Unlawful Use.** It is unlawful for any person to drive or operate any snowmobile within the City or on private lands within the City without the express permission of the owner or occupant of said private lands, except that snowmobiles may be operated on public lands under the jurisdiction of the City but only pursuant to the terms and conditions of this Section.

**Subd. 3. Operation of Snowmobiles.**

**A.** It is unlawful for any person to drive or operate any snowmobile at a speed in excess of ~~45~~ 20 miles per hour at any place within the City limits, except City parks, where it is unlawful for any person to drive or operate any snowmobile.

**B.** It is unlawful for any person to drive or operate any snowmobile between the hours of 10:00 p.m. and 7:00 a.m. at any place within the City limits.

**C.** It is unlawful for any person to drive or operate any snowmobile on any street or highway within the City or on any designated bikeway or pedestrian walkway within the City limits except when crossing said areas by the most direct means practicable; provided, however, that no person under the age of 14 years shall operate a snowmobile at any time within the City limits.

**D.** Notwithstanding any of the foregoing prohibitions, a snowmobile may be operated within the City contrary to the regulations prescribed herein only in police-designated emergency or by any City employees involved in performing essential services for the City, and they may operate snowmobiles when traveling to or from the place where services are to be performed when travel by automobile is impracticable due to snow or road conditions.

**E.** Minnesota Statutes pertaining to the operation of snowmobiles and all Minnesota Statutes regarding traffic control must be strictly followed and adhered to by all operators of snowmobiles and any such violations of State law shall be considered to be violations of this Section.

SECTION 2. Section 5-0212 of the Revised Barnesville City Code of 2013 is hereby amended and reenacted to read as follows:

**SEC. 5-0212. MOTORIZED GOLF CARTS AND ~~ALL-TERRAIN RECREATIONAL MOTOR VEHICLE~~ TRAFFIC CONTROL AND REGULATIONS.**

**Subd. 1. Motorized Golf Carts.**

**Subd. 1. A. General Permit Required.** It is unlawful for any unlicensed driver to operate a motorized golf cart ~~or all-terrain vehicle~~ on City streets without payment of a fee and obtaining a permit issued by the Chief of Police.

**B.** All drivers of a motorized golf cart must be 18 years of age or older.

~~Subd. 2.~~ **C.** Application. Anyone desiring a permit to operate such vehicles shall submit a signed application to the ~~City Administrator~~ Police Chief with the following information:

**A1.** Date.

**B2.** Applicant.

**C3.** Streets upon which you wish to drive.

**D4.** Time periods within which you need to drive.

**E5.** Insurance company and policy number.

**F6.** Disability requiring operation of motorized golf cart ~~or all-terrain vehicle.~~

**Subd. 3. D. Duties of Chief of Police.** The Chief of Police shall be the issuing officer for permits under this Section. Such officer shall have the power to designate on the permit the streets of operation and the hours of operation, as the officer determines is in the interest of the safety of the public. In no event shall motorized golf carts ~~or all-terrain vehicles~~ be operated on designed roadways for any hours greater than sunrise to sunset.

**Subd. 4. E. Other Requirements.**

**A1.** Motorized golf carts ~~and all-terrain vehicles~~ shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons in vehicles on the roadway at a distance of 500 feet;

**B2.** Motorized golf carts ~~and all-terrain vehicles~~ shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, Section 169.522;

**C3.** Permits under this Section are restricted to physically handicapped persons defined in Minnesota Statutes, Section 169.345, Subd. 2;

~~D4.~~ The issuing officer shall, as a condition of obtaining a permit, require that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart ~~or all-terrain vehicle~~ on the designated roadways;

~~E5.~~ Permits shall be issued for a period not to exceed one year and may be annually renewed;

~~F6.~~ A permit may be revoked at any time if there is evidence that the permittee cannot safely operate a motorized golf cart ~~or all-terrain vehicle~~ on the designated roadways.

~~G7.~~ The operation and regulation of all motorized golf carts ~~and all-terrain vehicles~~ is governed by this Section as well as all of the requirements of Minnesota Statutes, Section 169.045.

~~H.~~ All-terrain vehicles as defined herein shall mean both three- and four-wheel all-terrain vehicles.

## **Subd. 2. Recreational Motor Vehicles.**

### **A. Purpose and Intent.**

1. The purpose of this ordinance is to provide reasonable regulations for the use of special and recreational motor vehicles on public and private property in the City.

2. This ordinance is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow.

3. It is intended to ensure the public safety and prevent a public nuisance.

**B. Definition.** A “Recreational Motor Vehicle” means any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes including, but not limited to other all-terrain vehicle as defined by Minn. Stat. 84.90 and Minn. Stat. § 84.92, subd. 8-10 as it may be amended from time to time, hovercraft, or motor vehicle licensed for highway operation, which is being used for off-road recreational purposes, but not including motorized golf carts, personal electric mobility devices, motorized foot scooters, neighborhood electric vehicles, medium-speed electric vehicles, or mini-trucks.

**C. Recreational Vehicle Operation Requirements.** It is unlawful for any person to operate a recreational motor vehicle:

1. On private lands without written or oral permission of the owner of the property. (Written permission may be given by a posted notice of any kind or description, so long as it specifies the kind of vehicles allowed, that the owner, occupant, or lessee prefers, such as by saying “Recreational Vehicles Allowed,” “Trail Bikes Allowed,” “All-Terrain Vehicles Allowed,” or words substantially similar.) No person shall enter on any land not owned by the person for the purpose of operating a recreational motor vehicle after being notified, orally or by

written or posted notice, by the owner, occupant, or lessee not to do so. Where posted notice is used, signs shall bear letters not less than two inches high and shall state one of the following: "Recreational Vehicles Prohibited," "Snowmobiles Prohibited," "Trail Bikes Prohibited," "All-Terrain Vehicles Prohibited," or words substantially similar. In lieu of the above notice, an owner, occupant, or lessee may post any sign prohibiting recreational motor vehicles that has been adopted by rule of the Commissioner of Natural Resources. The notice or sign shall be posted at corners and ordinary ingress and egress to the property and when so posted shall serve so as to raise a conclusive presumption that a person operating a recreational motor vehicle thereon had knowledge of entering upon such posted lands. Failure to post notice as provided in this subdivision shall not deprive a person of the right to bring a civil action for damage to one's person or property as otherwise provided by law.

2. On publicly owned land, including school, exclusive City streets, park property, playgrounds, recreation areas and golf courses, except were permitted by this ordinance.

3. In a manner so as to create a loud, unnecessary, or unusual noise that disturbs, annoys, or interferes with the peace and quiet of other persons.

4. On a public sidewalk, bike-path, or walkway provided or used for pedestrian travel.

5. At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs.

6. At a rate of speed greater than 20 mph or proper under all the surrounding circumstances.

7. At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto.

8. On any public street, highway, or right-of-way unless registered pursuant to Minnesota law.

9. To intentionally drive, chase, run over, or kill any animal, wild or domestic.

10. By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property.

11. Within 150 yards of any public recreational area or gathering of people. This provision does not apply to the occasional use of recreational motor vehicles on private property for the purpose of loading or unloading it from a trailer or for mechanically checking it.

12. Without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight.

13. Without a functioning stoplight if so equipped.

14. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.

15. In crossing a divided road, the crossing is made only at an intersection of the road with another public road.

16. If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

**D. Hours of Operation.** Hours for use are 7:00 a.m. to 10:00 p.m.

**E. Minimum Equipment Requirements.**

1. Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.

2. Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

3. At least one clear lamp shall be attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times of reduced visibility.

**F. Designation of Public Areas for Use.**

1. The Council may designate areas and exclusive City streets for use of recreational motor vehicles by approval of a resolution by a majority of the members of the City Council. The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the City in a conspicuous place after the approval. If an area is changed, the change shall be published in like manner in the official newspaper of the City. An up-to-date map of any designated park areas open for recreational motor



vehicle use shall be kept on file in the office of the City Clerk, who shall provide on request a copy of the map together with the applicable rules, regulations, and this ordinance to each person requesting the information from the City.

2. Unless designated by the City Council as an area for recreational motor vehicles, the use on City park property and City streets shall be unlawful. Further, the use of City parks designated by the City Council shall be in accordance with all of the applicable provisions of this ordinance.

3. No person shall operate a utility task vehicle or all-terrain vehicle on streets, alleys, or other public property without obtaining a permit as provided herein.

4. Every application for a permit shall be made on a form supplied by the City and shall contain all of the following information:

(a) The name and address of the applicant.

(b) The nature of the applicant's physical handicap, if any.

(c) Model name, make, and year and number of the all-terrain vehicle.

(d) Current driver's license.

(e) Other information as the City may require.

5. Permits shall be granted for a period of three years and may be renewed. The fee for this permit shall be \$15 for that three-year period.

6. No permit shall be granted or renewed unless the following conditions are met:

(a) The applicant must demonstrate that he or she currently holds a valid Minnesota driver's license.

(b) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the utility task vehicle or all-terrain vehicle.

SECTION 3. EFFECTIVE DATE: This ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

PASSED by the City Council of Barnesville, Minnesota this 12<sup>th</sup> day of April, 2021.

APPROVED:

\_\_\_\_\_  
Jason Rick, Mayor

Attest:

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Jeri Reep, City Clerk

First Consideration: March 8, 2021  
Second Consideration: April 12, 2021  
Date Adopted: April 12, 2021  
Date of Publication: April 19, 2021

Mayor Rick stated the next item on the agenda was the Resolution setting a public hearing on Vacation requested by J & S Mill.

City Administrator Mike Rietz informed council members that there is a section of east-west alley on the south edge of the J & S Mill property that many years ago had a portion of a building constructed across it. This alley was never developed and was not noticed when the building was built. This is causing a title flaw and this vacation action allows that flaw to be corrected. Mayor Rick informed council members that the new owner of J & S Mill is his stepson, and that there is no connection to this property, that Mayor Rick's name is not included on any paperwork.

**03-08-21-06** Motion by Mr. Goedtke and second by Mrs. Stokka to approve the Resolution setting a public hearing on a vacation commenced by a petition of a majority of abutting landowners for Monday, April 12, 2021 at 7:00 p.m. 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  
COUNTY OF CLAY  
STATE OF MINNESOTA  
RESOLUTION NO. 03-08-21-06**

**RESOLUTION SETTING A PUBLIC HEARING ON A VACATION  
COMMENCED BY A PETITION OF A MAJORITY OF ABUTTING  
LANDOWNERS**

**THE CITY COUNCIL OF THE CITY OF BARNESVILLE, MINNESOTA, DOES  
HEREBY RESOLVE AS FOLLOWS:**

**WHEREAS**, a petition signed by the majority of property owners abutting an alley in Block 37 of the Original Townsite in Barnesville was received by the City Clerk on the 4<sup>TH</sup> day of March, 2021; and

**WHEREAS**, the petition requested that the City Council, pursuant to Minnesota Statutes §§ 412.851 and 440.13, vacate that part of the alley running east and west in Block 37 of the Original Townsite to the City of Barnesville, Clay County, Minnesota, legally described as:

That part of an east-west Alley in Block 37, Plat of BARNESVILLE, according to the recorded plat thereof, on file and of record in the office of the Recorder, Clay County, Minnesota, which lies westerly of the southerly extension of the east line of Lot 13, said Block 37, and easterly of the following described line:

Commencing at an iron monument which designates the northeast corner of said Block 37; thence South 89 degrees 46 minutes 55 seconds West, on a record bearing along the north line of said Block 37 for a distance of 145.33 feet to an iron monument at the northeast corner of said Lot 13; thence continuing South 89 degrees 46 minutes 55 seconds West, along the north line of said Block 37, for a distance of 75.21 feet to the northwest corner of Lot 15, said Block 37; thence South 00 degrees 09 minutes 20 seconds East, along the west line of said Lot 15 for a distance of 84.68 feet to an iron monument; thence South 11 degrees 32 minutes 07 seconds East for a distance of 28.34 feet to an iron monument, said point is the point of beginning of the line to be described; thence South 20 degrees 38 minutes 41 seconds East for a distance of 53.38 feet to an iron monument and said line there terminates, containing 1,226 square feet, more or less; and

**WHEREAS**, the City Clerk has reviewed and examined the signatures on said petition and determined that such signatures constitute all of or a majority of the landowners abutting upon the portion of the alley proposed to be vacated; and

**WHEREAS**, a copy of said petition is attached hereto as Exhibit

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

1. The Council will consider the vacation of such alley, and a public hearing shall be held on such proposed vacation on the 8<sup>th</sup> day of March, 2021, before the City Council in the City Hall, located at 102 Front Street North at 7:00 p.m.

The City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Passed by the Council this 8<sup>th</sup> day of March, 2021.

APPROVED:

\_\_\_\_\_  
Jason Rick, Mayor

ATTEST:

\_\_\_\_\_  
Jeri Reep, City Clerk

Mayor Rick stated the next item on the agenda was the Police Union contract.

City Administrator Mike Rietz stated that the agreement with the Police Union is a 2-year contract, with a 3% wage adjustment in each year, and the first year is retroactive to January 1, 2021. There are some other language changes related to the type of bullet proof vest that will be provided and how firearms are purchased.

**03-08-21-07** Motion by Mr. Field and second by Mr. Bauer to approve the Police Union contract as presented, and to conduct a salary study prior to the next contract negotiations. Motion carried.

Mayor Rick stated the next item on the agenda was the Building Official contract.

City Administrator Mike Rietz informed council members that our current building inspector Mike Blevins with Midwest Inspection Services has given us notice of his desire to end his contract with us, and willing to make the transition sooner than the 90 days required by his contract. Mr. Rietz stated that he contacted Mr. Sid Fossan, to see if he would be willing to return to serve as our Building Official. Mr. Fossan stated that he would be willing to serve as our Building Official, and a new contract would be effective on March 15, 2021.

**03-08-21-08** Motion by Mrs. Stuvland and second by Mr. Goedtke to approve the Building Official contract with Mr. Sid Fossan, dba Stonehenge Enterprises effective on March 15, 2021. Motion carried.

Mayor Rick stated the next item on the agenda was the Resolution ordering preparation of feasibility report for the Commercial Park.

City Administrator Mike Rietz informed council members that the EDA had asked Dan Hanson to put together a feasibility report for the Commercial Park, so they could make an informed decision on whether to move forward, which is why the report is already available. A public hearing is required in this case because the stormwater pond to be constructed with this phase of the project is serving more than just the property that the EDA owns and will be specially assessed against all the properties that are served.

**03-08-21-09** Motion by Mrs. Stokka and second by Mrs. Stuvland to accept the petition for improvements from the EDA requesting infrastructure improvements including the extension of 4<sup>th</sup> Ave. NE, and installation of other infrastructure to support the development. Motion carried.

**03-08-21-10** Motion by Mrs. Stuvland and second by Mrs. Stokka approve the Resolution ordering preparation of the Report on Improvement for the Commercial Park. 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  
CLAY COUNTY, MINNESOTA**

**RESOLUTION NO. 03-08-21-10**

**Resolution Ordering Preparation of Report on Improvement**

WHEREAS, it is proposed to improve the proposed Commercial Park Fifth Addition by the construction of utilities, paving and grading to support the proposed development along with the construction of a stormwater pond to be located on Lot 1, Block 2 of Barnesville Commercial Park 2<sup>nd</sup> Addition 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 Improvement No. 2021-01 be referred to Moore Engineering, Inc. 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 8th day of March, 2021.

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Jason Rick, Mayor

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Jeri Reep, City Clerk

**03-08-21-11** Motion by Mr. Bauer and second by Mr. Goedtke to approve the Resolution receiving the Feasibility report and calling hearing on Improvement. 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  
CLAY COUNTY, MINNESOTA**

**RESOLUTION NO. 03-08-21-11**

**Resolution Receiving Feasibility Report and Calling Hearing on Improvement**

WHEREAS, pursuant to resolution of the council adopted March 8, 2021 a report has been prepared by Moore Engineering, Inc. with reference to proposed Improvement No. 2021-01, the improvement of the proposed Commercial Park Fifth Addition by the construction of utilities, paving and grading to support the proposed development along with the construction of a stormwater pond to be located on Lot 1, Block 2 of Barnesville Commercial Park 2<sup>nd</sup> Addition, and this report was received by the council on March 8, 2021, and

WHEREAS, the report provides information regarding 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.

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

1. The council will consider the improvement in accordance with the report and the assessment of benefitting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$437,000.
2. A public hearing shall be held on such proposed improvement on the 12th day of April, 2021, in the meeting room in Old City Hall at 101 Front St. S. at 7:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the council this 8th day of March, 2021.

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Jason Rick, Mayor

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Jeri Reep, City Clerk

Mayor Rick stated the next item on the agenda was the resolution ordering the feasibility report for the 2023 Front Street Project.

City Administrator Mike Rietz stated that this is the first step in the process for the Front Street/Highway 9 project.

**03-08-21-12** Motion by Mrs. Stuvland and second by Mrs. Stokka to approve the resolution ordering preparation of report on improvement to improve Front Street between the intersection of main Avenue/TH9 and MN TH34. 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  
CLAY COUNTY, MINNESOTA**

**RESOLUTION NO. 03-08-21-12  
Resolution Ordering Preparation of Report on Improvement**

WHEREAS, it is proposed to improve Front Street between the intersection of Main Avenue/TH 9 and MN TH 34 by coordinating underground utilities, surface improvements and lighting improvements in conjunction with the MN Department of Transportation (MNDOT) and to assess the benefited properties 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 Improvement No. 2023-01 be referred to Moore Engineering, Inc. 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 8th day of March, 2021.

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Mayor

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City Clerk

Mayor Rick stated the next item on the agenda was to set a hearing date for the 2023 MNDOT Hwy 9 project as a part of the Municipal Consent Process.

City Administrator Mike Rietz stated that we have until April 29, 2021 to hold the hearing for the Municipal Consent process regarding the 2023 Hwy 9 project.

**03-08-21-13** Motion by Mrs. Stuvland and second by Mrs. Stokka to set Monday, April 19, 2021 at 7:00 p.m. for a public hearing for the Municipal Consent process regarding the 2023 Hwy 9 project. Motion carried.

Mayor Rick stated the next item on the agenda was the Internet speed/price change Resolution.

TEC Manager Guy Swenson stated that staff looks at the internet packages annually to keep up with customer needs for data and competitive with Red River Communications. Staff is recommending approval of the Resolution regarding internet speed and price changes for 2021.

**03-08-21-14** Motion by Mr. Field and second by Mrs. Bergman to approve the Resolution setting the 2021 high speed internet speeds and rates. 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 NO. 03-08-21-14  
RESOLUTION SETTING 2021 HIGH SPEED INTERNET SPEEDS AND RATES**

WHEREAS, Title VIII, Section 2-0113 of the City of Barnesville Revised City Code of 2013 provides that High Speed Internet Rates are to be set by resolution of the City Council; and

WHEREAS, the City of Barnesville, has received and reviewed the 2021 High Speed Internet Rates; and

WHEREAS, the 2021 High Speed Internet Rates are as follows:  
Section 1. Costs for High Speed Internet service



MONTHLY COSTS  
High Speed Internet/DSL

SPEEDS  
Down speed Up speed

- 1) Discontinue offering the Bronze level of service as of August 18, 2016 – grandfather and continue support of current Bronze subscribers.

\* CBOL – Consumer Broadband Only – No Landline

1. With Landline	\$36.95	(Silver)	up to 25 Megbps	up to 25 Megbps
1. * CBOL	\$46.95	(Silver)	up to 25 Megbps	up to 25 Megbps
1. With Landline	\$36.95	(Silver)	up to 35 Megbps	up to 35 Megbps
1. * CBOL	\$46.95	(Silver)	up to 35 Megbps	up to 35 Megbps
2. With Landline	\$52.95	(Gold)	up to 35 Megbps	up to 35 Megbps
2. * CBOL	\$62.95	(Gold)	up to 35 Megbps	up to 35 Megbps
2. With Landline	\$52.95	(Gold)	up to 45 Megbps	up to 45 Megbps
2. * CBOL	\$62.95	(Gold)	up to 45 Megbps	up to 45 Megbps
3. With Landline	\$69.95	(Platinum)	up to 45 Megbps	up to 45 Megbps
3. * CBOL	\$79.95	(Platinum)	up to 45 Megbps	up to 45 Megbps
3. With Landline	\$69.95	(Platinum)	up to 55 Megbps	up to 55 Megbps
3. * CBOL	\$79.95	(Platinum)	up to 55 Megbps	up to 55 Megbps
4. With Landline	\$109.95	Business 1	up to 55 Megbps	up to 55 Megbps
4. * CBOL	\$119.95	Business 1	up to 55 Megbps	up to 55 Megbps
4. With Landline	\$99.95	Business 1	up to 125 Megbps	up to 125 Megbps
4. * CBOL	\$109.95	Business 1	up to 125 Megbps	up to 125 Megbps
5. With Landline	\$129.95	Business 2	up to 65 Megbps	up to 65 Megbps
5. * CBOL	\$139.95	Business 2	up to 65 Megbps	up to 65 Megbps
5. With Landline	\$119.95	Business 2	up to 250 Megbps	up to 250 Megbps
5. * CBOL	\$129.95	Business 2	up to 250 Megbps	up to 250 Megbps
6. With Landline	\$259.95	Business 3	up to 75 Megbps	up to 75 Megbps
6. * CBOL	\$269.95	Business 3	up to 75 Megbps	up to 75 Megbps
6. With Landline	\$159.95	Business 3	up to 500 Megbps	up to 500 Megbps
6. * CBOL	\$169.95	Business 3	up to 500 Megbps	up to 500 Megbps
7. With Landline	\$389.95	Business 4	up to 1 Gigbps	up to 1 Gigbps

7. * CBOL	\$399.95	Business 4	up to 1 Gigbps	up to 1 Gigbps
7. With Landline	\$289.95	Business 4	up to 1 Gigbps	up to 1 Gigbps
7. * CBOL	\$299.95	Business 4	up to 1 Gigbps	up to 1 Gigbps

DSL “Combo” package

When DSL is purchased along with Barnesville Telephone, Barnesville Long Distance and Barnesville Cable TV (Economy Basic) 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. Discontinue offering the Bronze level of service as of August 18, 2016 – grandfather and continue support of current Bronze subscribers.

\$15.00 per month discount for Silver DSL service

\$20.00 per month discount for Gold DSL service

\$25.00 per month discount for Platinum DSL service.

\$30.00 per month discount for Business 1,2,3,4 DSL service.

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

\$20.00 per month discount for Silver DSL service

\$25.00 per month discount for Gold DSL service

\$30.00 per month discount for Platinum DSL service.

\$35.00 per month discount for Business 1,2,3,4 DSL service.

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

NOW, THEREFORE, BE IT RESOLVED, that the High Speed Internet Rates are hereby adopted by the City Council.

BE IT FURTHER RESOLVED that the approved High Speed Internet will remain in effect until otherwise amended by resolution of the City Council.

BE IT FURTHER RESOLVED that this resolution will be effective April 8, 2021

Dated: March 8, 2021

APPROVED:

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Jason Rick Mayor

ATTEST:

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Michael Rietz, City Administrator

Mayor Rick stated the next item on the agenda was the 702 Communications wholesale internet agreement.

TEC Manager Guy Swenson stated that this is a new 36-month agreement with 702 Communications to provide 4 gigabits of internet capacity.

**03-08-21-15** Motion by Mrs. Stokka and second by Mrs. Stuvland to authorize TEC Manager to sign and execute the agreement with 702 Communications to provide 4 gigabits of internet capacity. This is a 3-year agreement. Motion carried.

Mayor Rick stated the next item on the agenda was the closed session to discuss electric service territory dispute between the City of Barnesville and RRVCP, authorized under Minn. Stat. 13D.05, subd. 3(b).

**03-08-21-16** Motion by Mrs. Bergman and second by Mrs. Stuvland to close the regular city council meeting at 8:13 p.m. Motion carried.

**03-08-21-17** Motion by Mrs. Stokka and second by Mr. Bauer to open the regular city council meeting at 9:08 p.m. Motion carried

Mayor Rick stated the next item on the agenda was the closed session to discuss potential sale of real or personal property related to the telephone, cable and broadband funds authorized under Minn. Stat. Sec. 13D.05, subd. 3(c).

**03-08-21-18** Motion by Mr. Bauer and second by Mrs. Stokka to close the regular city council meeting at 9:09 p.m. Motion carried.

**03-08-21-19** Motion by Mr. Bauer and second by Mr. Goedtke to open the regular city council meeting at 9:34 p.m.

**03-08-21-20** Motion by Mrs. Stokka and second by Mrs. Stuvland to authorize entering into a Non-disclosure Agreement with Red River Valley Telecom. Motion carried.

Mayor Rick adjourned the meeting at 9:36 p.m.

Submitted by:

Attest:

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Jeri Reep  
City Clerk

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Jason Rick  
Mayor