

Barnesville City Council
Regular Meeting
November 13, 2017

Mayor Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Jason Rick, Larry Davis, Jr. Betty Strom, David Brown, Don Goedtke, and Brad Field. Others in attendance were City Administrator Mike Rietz, Sara Nyhus-Wear 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. Trevor Moen, Tonya Stokka, Lisa and James Hegewald, Michael Maddox with the Fargo-Moorhead Metro COG, Zeb Dickey and Michael Stein with the Record Review.

Mayor Prim next asked if there were any additions or corrections to the agenda. City Administrator Mike Reitz stated that there were two additions to the agenda: appoint Paula Dobmeier to the HRA Board of Commissioners, and approval the Barnesville Fire Dept. gambling permit for January 26, 2018.

11-13-17-01 Motion by Mr. Davis and second by Mrs. Strom to approve the agenda as presented, with the additions of the appointment of Paula Dobmeier to the HRA Board of Commissioners and approval of the Barnesville Fire Dept. gambling permit for January 26, 2018. Motion carried.

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

11-13-17-02 Motion by Mr. Rick and second by Mr. Goedtke 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 October 9, 2017.
2. Approval of the department head reports.
3. Approval of check numbers 84319-84397 and EFT payments in the amount of \$753,696.29.
4. Approval to set the Truth-in-Taxation hearing for December 11, 2017.
5. Approval to approve the contract with Pro Turf for the 2018 golf season.
6. Approval of the Ambulance report fee charges.
7. Approval of the Massage Parlor license for Jane Nyberg.
8. Approval to Not Waive Liability Limits on LMCIT Liability Coverage.
9. Approval of the gambling premise permit for Clay Wilkin MDHA
10. Approval to appoint Paula Dobmeier to the HRA Board of Commissioners.
11. Approval of the Barnesville Fire Department gambling permit-January 26, 2018.

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

Council member Field reported that three lots have been sold in the Commercial Park. Mr. Field also reported that the airport is closed. Council members reported on the boards and commissions they serve on.

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

Mayor Prim stated the next item on the agenda was the public hearing on property maintenance assessments.

11-13-17-03 Motion by Mr. Davis and second by Mr. Rick to open the public hearing on property maintenance assessments at 7:04 p.m. Motion carried.

James & Lisa Hegewald next approached council members and stated that they have been working on their house and have met all requirements. Police Chief Dean stated that there is nothing pending at this address at this time.

Mr. Zeb Dickey next approached council members and stated that he is working on a purchase agreement for the property at 508 6th Street NW.

Mr. Benson Kimemia who owns the property at 508 6th Street NW asked council members if the fees could be waived at this location.

Mayor Prim asked if there were any citizens that had any comments for the public hearing on the property maintenance assessments. There were no other comments.

11-13-17-04 Motion by Mr. Davis and second by Mr. Rick to close the public hearing on the property maintenance assessments at 7:16 p.m. Motion carried.

City Administrator Mike Rietz stated that Judy Neubauer has paid the mowing assessment and should be removed from the list.

11-13-17-05 Motion by Mr. Davis and second by Mr. Rick to certify the following to the County Auditor for the 2017 property maintenance assessments. Motion carried.

500530120	1401 4 Ave SE	Lot 5-6, Comm. Park Addn	\$75.00	Mowing
505751070	102 3 Street SE	Lot 13, Blk 13, Original	2000.00	Maint. Viol
505751480	304 6 Ave SE	Lots 13-16, Blk 18, Original	75.00	Mowing
505751350	502 3 Street SE	Lots 1-2, Blk 17, Original	75.00	Mowing
505751670	812 3 Street SE	Lots 19-21, Blk 20, Original	300.00	Mowing
507450060	1002 3 Ave NE	Lot 6, Blk 1, Stoneridge	375.00	Mowing
500500090	508 6 Street NW	Lot 9, Bachman's 1 st Addn	375.00	Mowing

11-13-17-06 Motion by Mr. Goedtke and second by Mr. Brown to table the property maintenance violation at 508 6th Street NW until the December regular council meeting. Motion carried.

Mayor Prim stated the next item on the agenda was the Comprehensive Plan discussion.

Mr. Michael Maddox with the Fargo-Moorhead Metro COG next approached council members and discussed the proposed Comprehensive Plan. Mr. Maddox stated that MetroCOG staff have been working with the Study Review Committee and the Planning Commission to develop this revision of the Comprehensive Plan that was originally put in place in 2004. The purpose of this Comprehensive Plan is to aid in the decision making of Barnesville's elected officials. Public meetings were held during the planning process, along with an online survey. EDA Director Karen Lauer stated that the Comprehensive Plan is a valuable tool for staff to use. Council members had no further questions for Mr. Maddox.

11-13-17-07 Motion by Mr. Rick and second by Mrs. Strom to approve the proposed Comprehensive Plan. Motion carried.

Mayor Prim stated the next item on the agenda was the 1st reading of Ordinance 2017-07.

City Administrator Mike Rietz informed council members that this Ordinance has two sections. The first section cleans up some of the language in Chapter 3 of the City Code, and the second section revises the building permit fee schedule. Lakes Country Coop is discontinuing their program of providing a building inspector for the City. The current fees are from a fee schedule in a Building Code from the late 1980's and those fees have not been increased for many years.

11-13-17-08 Motion by Mr. Davis and second by Mr. Rick to approve the 1st reading of Ordinance 2017-07. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2017-07**

**AN ORDINANCE AMENDING CHAPTER 3-01, SEC. 3-0101 - 3-0103 AND CHAPTER
8-01, SEC. 3-0102 OF THE MUNICIPAL CODE REGARDING BUILDING PERMIT
FEES.**

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

CHAPTER 3-01, SECTIONS 3-0101 through 3-0103 is amended to read as follows:

SEC. 3-0101. BUILDING CODE ADOPTED. The Minnesota State Building Code, established pursuant to Minnesota Statutes ~~16B.59 to 16B.75~~ 326B.101 to 326B.16, is hereby adopted as the Building Code for this jurisdiction. The Building Code is hereby adopted as if fully set out herein. One copy of said Code shall be marked "CITY OF BARNESVILLE-OFFICIAL COPY" and kept on file in the office of the City Administrator and open to

inspection and use by the public. The Minnesota State Building Code includes the following Chapters 1300 through 1370 of Minnesota Rules:

- ~~1. Chapter 1300 – Minnesota Building Code.~~
- ~~2. Chapter 1301 – Building Official Certification.~~
- ~~3. Chapter 1302 – State Building Construction Approvals.~~
- ~~4. Chapter 1305 – Adoption of the 1994 Uniform Building Code, including:~~
 - ~~A. Appendix Chapter 3, Division I, Detention and Correctional Facilities;~~
 - ~~B. Chapter 12, Division II, Sound Transmission Control; and,~~
 - ~~C. Chapter 29, Minimum Plumbing Fixtures.~~
- ~~5. Chapter 1307 – Elevators and Related Devices.~~
- ~~6. Chapter 1315 – Adoption of the 1003 National Electrical Code~~
- ~~7. Chapter 1325 – Solar Energy Systems.~~
- ~~8. Chapter 1330 – Fallout Shelters.~~
- ~~9. Chapter 1335 – Floodproofing Regulations.~~
- ~~10. Chapter 1340 – Facilities for the Handicapped.~~
- ~~11. Chapter 1341 – Minnesota Accessibility Code.~~
- ~~12. Chapter 1346 – Adoption of the 1991 Uniform Mechanical Code~~
- ~~13. Chapter 1350 – Manufactured Homes.~~
- ~~14. Chapter 1360 – Prefabricated Buildings.~~
- ~~15. Chapter 1365 – Snow Loads.~~
- ~~16. Chapter 1370 – Storm Shelters.~~
- ~~17. Chapter 4715 – Minnesota Plumbing Code.~~
- ~~18. Chapter 7670 – Minnesota Energy Code.~~

SEC. 3-0102. PERMITS AND FEES.

Subd. 1. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes 326B.153 ~~46B.62~~, Subd. 1, and as provided for in Chapter 1 of the 1994 ~~Uniform Building Code~~ and Minnesota Rules Parts ~~1305.0106~~ 1300.0160 and ~~1305.0107~~.

Subd. 2. Permit Fees shall be assessed for work governed by the Building Code in accordance with rates set by consolidated ordinance of the Council and kept on file in the office of the City Administrator and open for inspection by the public. In addition, a surcharge fee shall be collected on all permits issued for work governed by the Building Code in accordance with Minnesota Statutes ~~46B.70~~ 326B.148.

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

SEC. 3-0103. BUILDING PERMITS.

Subd. 1. Enforcement. Permits shall be issues and enforced by a Minnesota certified building official appointed by the City. Within the City, it is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish and building or structure, or any part or portion thereof, including, but not limited to, the plumbing, electrical, ventilating, heating or air conditioning systems therein, or cause the same to be done, without the payment of a fee and obtaining a separate building or mechanical permit for each such building, structure or mechanical components for the City.

Subd. 2. Permit Expiration. All construction shall be completed within ~~one year~~ six months from the date of issuance of the building permit or, where construction was begun unlawfully, the date that a building permit should have been issued. The ~~Council~~ Building Official may extend the time for completion upon written request of the permittee establishing that circumstances beyond his/her control prevented completion of the work for which the building permit was, or should have been, authorized.

Subd. 3. Penalty. Penalty for violation of the Section shall be \$25.00 for each day of violation. Payment of the penalties may be enforced by civil action. Penalty for commencing work prior to the issuance of a permit shall be payment of an investigation fee equal to and in addition to the required permit fees.

CHAPTER 8-01, SECTION 3-0102 is amended to read as follows:

~~EXTRACTED FROM THE 1985, 1988 AND 1991 UNIFORM BUILDING CODE NO. 3-A BUILDING PERMIT FEES.~~

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$15.00 <u>\$17.00</u>

\$501.00 to \$2,000.00	\$15 <u>\$17</u> or the first \$500.00 plus \$2.00 <u>\$2.25</u> for each additional \$100.00 or fraction thereof, to and including \$2,000.00;
\$2001.00 to \$25,000.00	\$45.00 <u>\$50.75</u> for the first \$2,000 plus \$9.00 <u>\$10.00</u> for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00;
\$25,00.001 to \$50,000.00	\$252.00 <u>\$280.75</u> for the first \$25,000.00 plus \$6.50 <u>\$7.25</u> for each additional \$1,000 or fraction thereof, to and including \$50,000;
\$50,001.00 to \$100,000.00	\$414.50 <u>\$462.00</u> for the first \$50,000.00 plus \$4.50 <u>\$5.00</u> for each additional \$1,000.00 or fraction thereof, to and including \$100,000.
\$100,001.00 to \$500,000.00	\$639.50 <u>\$712.00</u> for the first \$100,000.00 plus \$3.50 <u>\$4.00</u> for each additional \$1,000.00 or fraction thereof, to and including 500,000;
\$500,001.00 to \$1,000,000.00	\$2,039.50 <u>\$2,312.00</u> for the first \$500,000.00 plus \$3.00 <u>\$3.50</u> for each additional \$1,000 or fraction thereof, to and including \$1,000,000.00;
\$1,000,001.00 and up	\$3539.50 <u>\$4,062.00</u> for the first \$1,000,000.00 plus \$2.00 <u>\$2.50</u> for each additional \$1,000.00 or fraction thereof.

Other Inspections and Fees:

1. Plan Review Fee 20% of the building permit fee.
1. 2. Inspections outside of normal business hours. (Min. charge 2 hrs.) \$30.00/hr.
2. 3. Reinspection fee \$30.00/hr.
3. 4. Inspections for which no fee is specifically indicated (Min. charge one half hour) \$30.00/hr.
4. 5. Additional plan review required by changes, additions or revisions to approved plans (Min. charge one half hour) \$30.00/hr.

MISCELLANEOUS FEES:

Mfg. Buildings, Houses or Structures moved in, Swimming Pools, Roofing, Windows, Furnaces and Signs By value above

Moving Permits (to be obtained by Licensed Mover or Owner of the building or manufactured home) \$50.00

Demolition Permits (Houses and detached buildings) \$50.00

~~Re-Roof Permits \$25.00~~

~~Furnace Permit (to be obtained on the replacement of a furnace when there is a change in the combustible fuel source) \$25.00~~

Gas Piping Permit \$25.00

PASSED AND ADOPTED by the Barnesville City council this 11th day of December, 2017.

Approved:

Eugene Prim
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: November 13, 2017
Second Reading: December 11, 2017
Adopted: December 11, 2017
Published: December 18, 2017

Mayor Prim stated the next item on the agenda was the Park fundraising plan.

City Administrator Mike Rietz informed council members that the Park board has been discussing the process of fundraising for the new park equipment. Mr. Rietz stated that some clarification needs to be made to reflect the City Council's intention regarding when the City's match would be triggered.

11-13-17-09 Motion by Mr. Goedtke and second by Mr. Brown to approve to match the Park Board's fundraising in the amount of \$100,000.00, up to a maximum of \$130,000.00. Motion carried.

Mayor Prim stated the next item on the agenda was the update on Friendship Park paving.

City Administrator Mike Rietz stated that Mr. Scott Kolbinger received a revised quote from FM Asphalt that was \$1700.00 higher than the previous quote. The price is \$22,500.00 and the price will be good for the 2018 construction season. Mr. Rietz stated that the Personnel and Finance portfolio are recommending to wait until the 2018 construction season to receive a few more prices.

City Administrator Mike Rietz stated the next item on the agenda was the update on Environmental work at 908 Front Street South.

EDA Director Karen Lauer informed council members that she has been working with the MN Pollution Control Agency through their MN Targeted Brownfield Assessment Program to provide financial assistance to conduct environmental assessments at 908 Front Street South. The City application was approved. MPCA will contract with Braun Intertec to do the work, and the City will receive copies of all reports. This program will cover 100% of the costs for both Phase I and Phase II Environmental Assessment, as well as a Remedial Action Plan. Work will begin in February, 2018.

Mayor Prim stated the next item on the agenda was to canvas the election results.

11-13-17-10 Motion by Mr. Davis and second by Mr. Goedtke to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Brown and Field. The following voted nay: none. Motion carried.

RESOLUTION No. 11-13-17-10
City of Barnesville
County of Clay
State of Minnesota

WHEREAS: a City/School Election was held on Tuesday, November 7, 2017 to vote for a Mayor for a two-year term and a Council Member for Wards 1, 2, and 3 for a four-year term, and

Council Member for Ward 2 for a two-year term. The official returns of the judges of election were presented:

WHEREAS: said returns were duly examined, approved and placed on file in the Office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Barnesville that it is hereby found, determined and declared that the General Election held in and for the City of Barnesville on Tuesday, November 7, 2017 was in all respects duly held and the returns thereof have been duly canvassed, the votes cast at said election were:

Mayor-two-year term

MAYOR	WARD 1	WARD 2	WARD 3	TOTAL
Eugene Prim	128	93	104	325
Jason Rick	106	58	103	267
Eric Spilde	7			7
Jason Erickstad	1			1
Dale Rollie	1			1
Richard Sylvester		1		1
Scott Amundson			1	1
Dion Bredman			1	1

WARD 1

For the office of City Council-four-year term

Scott Bauer	135		135
Dawn Stuvland	105		105
Larry Davis, Jr	3		3

WARD 2

For the office of City Council-four-year term

Donald Goedtke		140	140
Roger Cooper		2	2
Deb Erickson		1	1
Luke Mostue		1	1
Jason Bolgrean		1	1
Richard Sylvester		1	1

WARD 2

For the office of City Council-two-year term

David Brown	120		120
Tyler Johnson	1		1
Ben Sauve	1		1

WARD 3

For the office of City Council-four-year term:

Catherine Enstad		77	77
Rogena Fronning		8	8
Tonya J. Stokka		117	117
Donovan Schumacher		1	1
Ann Tweeten		1	1
Philip Swenson		1	1
Mike Detloff		1	1

School District 146

School Board Members

Marla Field	157	96	137	390
Jay Rehder	122	74	93	289
Jacob Thompson	94	68	84	246
Donald Vancura	89	55	67	211
Greg Berg	62	61	60	183
Jerry Feigum	132	75	100	307
Chad Holland	68	45	64	177
Jay Rehder	1			1
Tim Thompson	1			1
Merlin Strom	1			1
Mike Detloff	2			2
Chad Hagen	1			1
Jov Seefeldt	1			1
Eric Newell	1			1
Leah Baker	1			1
Jason Bolgrean		1		1
Steve Anderson		1		1
Scott Bauer		1		1

Dana Holland	1		1
Mike Detloff		3	3
Eric Newell		2	2
Jason Bolgrean		2	2
Ryan Holland		1	1
Donovan Schumacher		1	1
Joel Markert		2	2
Rogena Fronning		1	1
Christy Schilling		1	1
Brent Berg		1	1
Bob Berg		1	1
Forest Trent		1	1
Todd Brown		1	1
Jeff Nibbe	2		

Passed and adopted by the Council of the City of Barnesville, Clay County, State of Minnesota this 13th day of November, 2017.

Eugene Prim, Mayor

Attest:

Michael Rietz, City Administrator

Mayor Prim stated the next item on the agenda was the transfer of drain tile from the EDA to the City.

11-13-17-11 Motion by Mr. Field and second by Mr. Rick to approve the transfer the drain tile that was installed by the EDA in the Del Acres Gilbertson 2nd Addition to the City. Motion carried.

Mayor Prim asked if there were any new updates from the priority setting discussion. There were no new updates.

Mayor Prim adjourned the meeting at 8:47 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor

