

Barnesville City Council
Regular Meeting
September 13, 2021

Mayor Rick called this regular meeting to order at 7:00 p.m. Member's present were Council members Brad Field, Tonya Stokka, Alyssa Bergman, Dawn Stuvland, Scott Bauer, and Don Goedtke. Others in attendance were Interim City Administrator John Chattin, Lucas Croaker and Kathryn DelZoppo with Ohnstad Twitchell, City Clerk Jeri Reep, TEC Manager Guy Swenson, EDA Director Karen Lauer, Finance Director Laurie Schell, Public Works Supt. Charlie Revering, Police Chief Joel Voxland, Water Technician Travis Braton, Police Officers Jesse Atteberry, and Chris Olson, Philip Rogers, Dan Hanson with Moore Engineering, Chris Hoppe, Elizabeth Wefel with Coalition of Greater MN, and Michael Stein with Barnesville Record Review.

Mayor Rick asked if there were any additions or corrections to the agenda. Interim City Administrator John Chattin stated there was one addition, to add the sustaining valve project update.

09-13-21-01 Motion by Mrs. Stokka and second by Mrs. Bergman to approve the agenda as presented, with the addition of the sustaining valve project. Motion carried.

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

09-13-21-02 Motion by Mr. Bauer and second by Mrs. Stokka to approve the consent agenda as presented. Motion carried. The following items were on the consent agenda;

1. Approval of the minutes of the regular meeting held on August 9, 2021.
2. Approval of the department head reports.
3. Approval of check numbers 90965 – 91137 and EFT payments for a total of \$2,233,622.83.
4. Approval of the resignation of Police Officer Jeff Tharldson.
5. Approval of pay rate change for Public Works Supt. Charlie Revering.
6. Approval to hire Travis Braton as a Water/Wastewater Technician.
7. Approval to hire Dave Wang as a Water/Wastewater Technician
8. Approval to hire Nikki Froslic as a part-time Liquor Store Clerk
9. Approval to hire Chanda Christianson as a part-time Liquor Store Clerk
10. Approval to hire Cassandra Fankhanel as part-time Paramedic.
11. Approval of Barnesville Thursday Nite Lions Gambling permit-Sept. 23, 2021.
12. Approval of pay request No. 2 for Key Contracting in the amount of \$168,199.64.
13. Approval of Change Order No. 2 for Key Contracting.
14. Approval of MRES Technology Days travel request-TEC Manager Guy Swenson.
15. Approval of Hallmark Channel additions.
16. Approval of emergency notifications procedure.

Mayor Rick stated the next item on the agenda was the boards and commissions 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 mayor and council members announcements.

Mayor Rick welcomed Travis Braton and Dave Wang to the Water Dept. Mayor Rick thanked Officer Jeff Tharldson for 18 years of service as a police officer.

Mayor Rick stated the next item on the agenda was the Oath of Office to Police Officer Peter Svare.

Police Chief Joel Voxland next introduced Officer Svare. Mayor Rick presented the Oath of Office as a Police Officer to Officer Svare.

Mayor Rick stated the next item on the agenda was the Coalition of Greater MN Cities.

Ms. Elizabeth Wefel next approached the council. Ms. Wefel stated that there are 109 cities across the state working together. Some of the projects are: LGA/property taxes, Economic Development, annexation and land use, transportation, environment and energy and labor and employment. Ms. Wefel discussed the CGMC goals and budget for 2021. Ms. Wefel stated that the Fall Conference will be held at Willmar on November 18-19,2021 and encouraged council member and staff to attend. Council members had no further questions for Ms. Wefel.

Mayor Rick stated the next item on the agenda was the textual changes to the Zoning Ordinance.

Interim Administrator John Chattin informed council members that this is a three housekeeping changes, concerning the “bulk storage”, “moved-in-building” and the detached accessory buildings for a CUP or variance application. The Planning Commission held a Public Hearing recommends approval of the textual changes as presented.

09-13-21-03 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the textual changes as presented. Motion carried.

Mayor Rick stated the next item on the agenda was the City of Barnesville CUP request for the Firehall Liquor Store.

Interim City Administrator John Chattin informed council members that this CUP is for the Municipal Liquor Store new building. This CUP is for two wall mounted sign structures. The Zoning Ordinance allows only one wall mounted sign, without a variance. Approval of this CUP is for the two illuminated signs, would be contingent on the City applying for and being granted a Variance allowing for two wall mounted signs.

09-13-21-04 Motion by Mr. Bauer and second by Mrs. Stokka to approve the CUP for the City of Barnesville for the new Municipal Liquor Store building, 721 Front Street North. Motion carried.

Mayor Rick stated the next item on the agenda was the public hearing for an alley vacation for Philip Rogers.

09-13-21-05 Motion by Mrs. Bergman and second by Mr. Goedtke to open the public hearing for Philip Rogers at 7:30 p.m. Motion carried.

Mayor Rick asked if there were any citizens present to be heard. There were none.

09-13-21-06 Motion by Mr. Field and second by Mrs. Stuvland to close the public hearing for Philip Rogers at 7:31 p.m. Motion carried.

09-13-21-07 Motion by Mrs. Stuvland and second by Mr. Goedtke to approve the following resolution vacating a portion of an alley in Block 21 upon petition of a majority of abutting landowners in the City of Barnesville. Upon a roll call vote, the following voted aye; Council member Stokka, Goedtke, Stuvland, Bauer, Bergman and Field. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA**

RESOLUTION NO. 09-13-21-07

**RESOLUTION VACATING A PORTION OF ALLEY UPON 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 a portion of the right-of-way for north/south alley located between Front Street and 3rd Street SE, described as follows: Vacation of a section of the north-south alley, between Front Street South and 3rd Street SE, between 8th Avenue SE and 9th Avenue SE was received by the City Clerk on the 30th day of July, 2021 (attached hereto as Exhibit A); and

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

WHEREAS, a public hearing to consider the vacation of such alley was held on the day of September 13, 2021, before the City Council in the Old City Hall located at 102 Front Street North, at 7:00 p.m.; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council, in its discretion, has determined that such right-of-way is not needed for public travel and vacation would assist in clearing certain title defects and it will be more beneficial to allow the land to be used by the Petitioner.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BARNESVILLE, COUNTY OF CLAY, MINNESOTA, that such petition for vacation of north-south alley located between Front Street and 3rd Street SE, between 8th Avenue and 9th Ave SE, Barnesville.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this Resolution.

Adopted by the Council this 13th day of September, 2021.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, Clerk

Mayor Rick stated the next item on the agenda was the public hearing for Chris & Michele Hoppe at 403 Front Street North.

09-13-21-08 Motion by Mrs. Stuvland and second by Mr. Goedtke to open the public hearing at 7:31 p.m. for Chris and Michelle Hoppe, 403 Front Street North. Motion carried.

Interim City Administrator John Chattin informed council members that Chris & Michelle Hoppe, 403 Front Street North have requested a Variance to construct a 30' x 50' detached accessory building which exceeds the ground coverage on the home by 832 square feet. The property is currently zoned C-2. The Hoppe's have requested that the property be rezoned to R-2, to be in alignment with the current and planned future use as a single-family resident. In 2016 the City Council approved a Variance of 17 feet to the rear yard setback for an accessory building that at the time was to house Chris Hoppe lawn Care Service, LLC, an allowed commercial building in a C-2 District. Now, they wish to build a detached accessory building to be used as a residential garage.

Mr. Chris Hoppe stated that they will not remove the accessory building that is currently on the residence.

Mayor Rick asked if there were any other citizens to be heard. There were none.

09-13-21-09 Motion by Mrs. Stuvland and second by Mrs. Bergman to close the public hearing for Chris and Michelle Hoppe, 403 Front Street North at 7:54 p.m. Motion carried.

09-13-21-10 Motion by Mr. Field and second by Mr. Goedtke to approve the Planning Commission recommendation to allow a 364-foot variance based on lot size, with conditions that (1) the existing detached accessory building be removed. (2) 30' x 50' new accessory building approved if (3) the north wall of the new accessory building aligns with the north wall of the attached garage and (4) the siding and shingle colors match the colors of the home. The property would be re-zoned to R-2.

09-13-21-11 Motion by Mr. Field to withdraw his motion, and second by Mr. Goedtke second his motion, to table this item until the October regular meeting. Motion carried.

Mayor Rick stated the next item on the agenda was the public works pickup discussion.

Interim City Administrator John Chattin stated that with two new employees in the water department, there is a shortage of city work vehicles. Public Works Supt. Charlie Revering has located a used vehicle, with a price range of \$30,000.00 - \$35,000.00.

Council member Field stated that the Personnel & Finance portfolio could review this at the October meeting.

Mayor Rick stated the next item on the agenda was the resolution adopting the 2022 levy.

Interim City Administrator John Chattin stated that the Personnel & Finance portfolio has reviewed the levy, and is recommending a 12.6% increase for 2022. The preliminary levy can be decreased, but it cannot be increased.

09-12-21-12 Motion by Mr. Bauer and second by Mr. Goedke to approve the 2022 preliminary levy Resolution. 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
 2022 PRELIMINARY LEVY RESOLUTION
 RESOLUTION NO. 09-13-21-12

BE IT RESOLVED, That the following sums be, and hereby are levied upon the taxable property in the City of Barnesville, County of Clay, State of Minnesota for payable in the year 2022, for the following purposes to-wit:

	FINAL 2021	PRELIMINARY 2022
General Fund - General	327,000	368,000
General Fund - Police	0	0
General Fund - Admin	0	0
General Fund - Parks	401,200	464,690
General Fund - Streets	0	0
General Fund - Ambulance	96,000	100,000
Total Levy for Operations	<u>824,200</u>	<u>932,690</u>
2010A GO Bond Refinanced (Fund 315)	25,000	25,000
2005A/2012 GO Bond Debt Service (Fund 312)	0	0
2013-1 INFRA IMPROVE DIST (Fund 317)	0	0
2006/2012Del Acres Gilbertson (Fund 314)	0	0
2011/2012 Front St. (Fund 316)	28,000	30,000
Total Levy for Debt	<u>53,000</u>	<u>55,000</u>
TOTAL LEVY	<u>877,200</u>	<u>987,690</u>
Before Tax Capacity	104.90%	112.60%
After Tax Capacity	4.90%	12.60%

Adopted this 13th day of September, 2021

Approved this 13th day of September, 2021

FINAL NUMBER FOR BUDGET
RESOLUTION

10,769,549

Jason Rick
Mayor

ATTEST:

Jeri Reep
City Clerk

Mayor Rick stated the next item on the agenda was the 2022 preliminary 2022 budget resolution.

09-12-21-13 Motion by Mr. Bauer and second by Mr. Goedtke to approve the 2022 budget resolution as presented. 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. 09-13-21-13
PRELIMINARY BUDGET RESOLUTION

BE IT RESOLVED that the City of Barnesville, Minnesota is required to maintain a budget for its fiscal operations.

BE IT FURTHER RESOLVED that the City of Barnesville, Minnesota has the legal authority to use its taxation authorities to levy necessary funds to operate the city.

BE IT FUTHER RESOLVED that the City of Barnesville, Minnesota is continually monitoring its budget and develops a fiscal budget based on the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Barnesville that 2022 Preliminary Budget be adopted.

I. 2022 Preliminary Budget \$ 10,769,549

Adopted this 13th day of September, 2021.

Jason Rick
Mayor

Attest: _____
Jeri Reep
City Clerk

Mayor Rick stated the next item on the agenda was the dangerous dog ordinance update.

Mr. Lucas Croaker with Ohnstad Twichell gave an update on the dangerous dog ordinance. Mr. Croaker stated that City Attorney John Shockley interviewed all parties involved at the time of the complaint. Mr. DeLyle Fankhanel never filed a formal complaint against the Ernst dog. The Ernst dog was deemed potentially dangerous. Mr. Croaker stated that Mr. Fankhanel could file a civil case against the Ernst dog. After some discussion, council members stated that the Ordinance portfolio will review and report back to the council members.

Mayor Rick stated the next item on the agenda was to approve the Change Order No. 7 for the Del Acres Gilbertson Third Addition.

City Engineer Dan Hanson stated that this Change Order is to provide time for the turf to be established due to the lack of moisture that has occurred. A site visit will take place in June of 2022 to verify the grass, and the satisfaction of the Owner, the contractor will overseed and extend the turf establishment warrantee period. This change order is also the final balancing change order that corrects the quantities to the actual amount installed so the contract amount equals the amount paid to the contractor.

09-13-21-14 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve Change Order No. 7 with Dirt Dynamics, LLC, with a decrease in the change order of \$55,209.00. Motion carried.

Mayor Rick stated the next item on the agenda was to approve the Task Order No. 2-1, for the MN State Aid TH 9 Reconstruction project.

City Engineer Dan Hanson informed council members that this task order is for the MN State Aid TH 9 (Front Street N) reconstruction. This is for the basic services for the design and construction administration of the underground utilities in conjunction with the MN TH 9 reconstruction project by MnDOT to take place in the 2023 construction season.

09-13-21-15 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the Task Order No. 2-1 for the MN State Aid TH 9 Reconstruction project with Moore Engineering in the amount of \$123,000.00. Motion carried.

Mayor Rick stated the next item on the agenda was the update on the sustaining valve project.

City Engineer Dan Hanson stated that 2 bids were received for the sustaining valve project. Hough, Inc from Detroit Lakes was the lowest responsible bidder. Sellin Brothers from Hawley was the other bidder. The water tower has been filled, and Public Works Supt. Charlie Revering is testing the tower. This item will be tabled until a later date.

Mayor Rick stated the next item on the agenda was the Disney-ESPN Media Networks renewal.

TEC Manager Guy Swenson informed council members that the Disney/ESPN Contract is for a 4-year contract term. We are required to accept the new agreement on or before Sept. 1, 2021, and must launch the ACC Network by Sept. 1, 2021. Staff recommends approval of the Disney-ESPN Media Networks contract.

09-13-21-16 Motion by Mr. Field and second by Mrs. Bergman to approve the Disney-ESPN media networks contract for a 4-year term. Motion carried.

Mayor Rick stated the next item on the agenda was the Resolution appointing the election judges.

09-13-21-17 Motion by Mrs. Stuvland and second by Mrs. Bergman to approve the following resolution appointing election judges. 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. 09-13-21-17
CITY OF BARNESVILLE OF CLAY COUNTY, MINNESOTA**

**APPOINTING ELECTION JUDGES
FOR THE ELECTION OF
NOVEMBER 2, 2021**

WHEREAS: a General Election will be held on November 2, 2021; and

WHEREAS: MN Statute 204B, subd. 2, requires election judges for precincts in a Municipality be appointed by the governing body of the municipality; and

WHEREAS: the City of Barnesville has one voting precinct; and

WHEREAS: the following City of Barnesville residents have agreed to serve as election Judges and have met the qualifications established by the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the City of Barnesville hereby appoints the following persons to serve as election judges for the General Election of 2021, with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party splits.

Judges: Betty Bodine, Janna Cayler, Cheryl Harris, Dar Hines, Betty Ishaug, Joan Kritzberger, Karen Prim, Mabel Sacrison, Mary Iverson, Patty Swenson, Shirley Bolgrean, Evonne Herbig, and head judge Jeri Reep.

Adopted by the City Council of the City of Barnesville this 13th day of September, 2021.

Jason Rick
Mayor

Attest:

Jeri Reep
City Clerk

Mayor Rick stated the next item on the agenda was to appoint the election ballot board.

09-13-21-18 Motion by Mrs. Stuvland and second by Mrs. Stokka to appoint Shirley Bolgrean, Janna Cayler, Joan Kritzberger and Jeri Reep to the absentee ballot board for the November 2, 2021 election. Motion carried.

Mayor Rick stated the next item on the agenda was the City Administrator finalist's selection.

Interim City Administrator John Chattin stated that there currently seven candidates for the City Administrator position. Mr. Chattin asked council members to reference the candidates they wish to interview by number, rather by name.

09-13-21-19 Motion by Mr. Bauer and second by Mr. Field to interview candidate number one and six for the City Administrator position. Motion carried.

Mayor Rick adjourned the meeting at 9:00 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Jason Rick
Mayor