

Barnesville City Council
Regular Meeting
May 10, 2021

Mayor Rick called this regular meeting to order at 7:00 p.m. Member's present were Council members Brad Field, Tonya Stokka, Scott Bauer, Alyssa Bergman, Dawn Stuvland, and Don Goedtke. Others in attendance were Interim City Administrator John Chattin, , 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, Ambulance Manger Scott Nelson, Mike Kurkowski and Travis Braton with NWS, Dan Hanson with Moore Engineering, Gary Weiers with DDA, Miranda Wendlandt with CliftonLarsonAllen, 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 we needed to add the declaring Potato Days a Community Wide Festival Resolution and an amendment number one to the employment agreement with Interim City Administrator to the agenda.

05-10-21-01 Motion by Mr. Bauer and second by Mrs. Stuvland to approve the agenda, with the following additions: declaring Potato Days a Community Wide Festival Resolution and an amendment number one to the employment agreement with Interim City Administrator. Motion carried.

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

05-10-21-02 Motion by Mrs. Stuvland 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 April 12, 2021
2. Approval of the minutes of the special meeting held on April 19, 2021
3. Approval of the minutes of the special meeting held on April 29, 2021
4. Approval of the department head reports.
5. Approval of check numbers 90423 -90516 and EFT payments for a total of \$541,953.79.
6. Approval of Trojan Takedown Club gambling permit-May 19, 2021
7. Approval of Barnesville Rod & Gun gambling premise permit-Ratzo's Pool Hall
8. Approval to hire Chelsea Quimby as Seasonal maintenance worker at \$13.50 per hour
9. Approval of lot split request from Lynne & Rodney Bender-Block 1, Lot 2, Barnesville Commercial Park
10. Approval of Calix Essential Support Entitlement Agreement
11. Approval of Amendment No. 1 employment agreement with Interim City Administrator.

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

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 City Administrator search update.

Mr. Gary Weiers with David Drown Associates asked council members for feedback on the City Administrator search brochure. Mr. Weiers asked council members for a salary range they would like to set for the search for an Administrator.

05-10-21-03 Motion by Mr. Bauer and second by Mr. Goedke to approve a salary range of \$80,000 - \$100,000 for the City Administrator position. Motion carried.

05-10-21-04 Motion by Mr. Bauer and second by Mrs. Bergman to approve the updated job description for the City Administrator position. Motion carried.

Mayor Rick stated the next item on the agenda was the liquor store bids.

Interim City Administrator John Chattin informed council members that six bids were received for the Liquor Store building. The bids received are higher than the estimated cost. The Personnel and Finance portfolio recommend the bid from TF Powers Construction should be accepted, with the alternates AL-2, AL-3, and AL-4 for a total of \$767,500.00.

05-10-21-05 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the bid from TF Powers Construction, with AL-2, AL-3, and AL-4 for a total price of \$767,500.00 for the new Liquor Store building. Motion carried.

Mayor Rick stated the next item on the agenda was the 2020 audit report.

Ms. Miranda Wendlandt with CliftonLarsenAllen next discussed with council members the 2020 audit. Ms. Wendlandt stated that there were no unusual transactions-none noted, and that there were no new standards for 2020. Adjustments proposed to properly state special assessment receivables, payables, land held for resale, contracts payable and capital assets were corrected. The sewer fund and electric fund net position restated by \$36,154 and \$70,806, respectively, to property state capital assets were corrected. Three material weaknesses were reported: segregation of duties, audit adjustments/prior period restatement and auditor drafts financial statements and notes. There was one federal award findings-one significant deficiency in the cash management and period of performance. The MN Office of the State Auditor recommends no less than 5 months of operating expenditures for the General Fund. As of December 31, 2020, the city was on target. The Liquor Store gross profit was at 23% for the year. The financial statements and the required State Auditor reporting form will be submitted to the state before the deadline of June 30, 2021.

Mayor Rick asked council members if they had any questions for Ms. Wendlandt. There were none.

05-10-21-06 Motion by Mr. Field and second by Mrs. Bergman to approve the 2020 audit report from CliftonLarsenAllen as presented. Motion carried.

Mayor Rick stated the next item on the agenda was the dispatch services payment withholding.

Interim City Administrator John Chatten informed council members that presently the city pays approximately \$40,000 annually for police, fire and ambulance dispatching services. There is dissatisfaction by several entities in Clay County for dispatching calls. Staff is recommending to withhold the payment of \$9,552 for the 2nd quarter. Our contract is up in 2022.

05-10-21-07 Motion by Mr. Field and second by Mr. Bauer to withhold the 2nd quarter payment to the Clay County Sheriff's office for the 2021 Red River Rural Dispatching Center in the amount of \$9,552.00. Motion carried

Mayor Rick stated the next item on the agenda was the public hearing for the vacation of a section of 5th Ave Northwest for Jim Braton.

05-10-21-08 Motion by Mrs. Stuvland and seconded by Mrs. Berman to open the public hearing for vacation of a section of 5th Ave NW. Motion carried.

Mayor Rick asked if there were any comments or anyone that wished to speak regarding the vacation of a section of 5th Ave NW. There were no comments.

05-10-21-09 Motion by Mr. Field and second by Mrs. Stuvland to close the public hearing at 8:02 p.m. Motion carried.

05-10-21-10 Motion by Mr. Goedkte and second by Mrs. Stokka to approve the Resolution vacating a portion of alley upon a petition of a majority of abutting landowners. Upon a roll call vote, the following voted aye: Council members Stokka, Goedke, Stuvland, Bauer, Bergman and Field. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 05-10-21-10**

**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 5th Ave NW, described as follows: Vacation of a section of the 5th Ave NW

right-of-way beginning at the western edge of the right-of-way of 3rd Street NW and terminating at a point 161 feet west in Barnesville was received by the City Clerk on the 4th day of April, 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 May 10, 2021, before the City Council in the Old City Hall located at 101 Front Street South, 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 a portion of the right of way for 5th Ave NW described as follows: Vacation of a section of the 5th Ave NW right of way beginning at the western edge of the right of way of 3rd Street NW and terminating at a point 161 feet west in 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 10th day of May, 2021.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, Clerk

Mayor Rick stated the next item on the agenda was the Municipal Consent Resolution.

Interim City Administrator John Chattin informed council members that this resolution is for the State project, and a MN DOT requirement.

05-10-21-11 Motion by Mr. Field and second by Mrs. Stokka to approve the resolution for the layout approval for the 2023 MN TH 9 from Main Avenue to MN Trunk Highway 34 project. Upon a roll call vote, the following voted aye: Council members Stokka, Stuvland, Bauer, Bergman and Field. The following voted nay: Council member Goedtke. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 05-10-21-11
RESOLUTION FOR LAYOUT APPROVAL**

WHEREAS, the Commissioner of Transportation has prepared a final layout for State Project 1409-25 on Trunk Highway 9, from TH9/RR TRACKS to 315 NORTH TH9/TH 34 INT within the City of Barnesville for ROAD RECONSTRUCTION AND ADA IMPROVEMENTS; and seeks the approval thereof, as described in Minnesota Statutes 161.162 to 161.167; and

WHEREAS, said final layout is on file in the district 4 Minnesota Department of Transportation office, Detroit Lakes, Minnesota, being marked as Layout No. 2B, S.P. 1409-25, from R.P. 146+00.704 TO R.P. 147-00.620.

NOW, THEREFORE, BE IT RESOLVED that said final layout for the improvement of said Trunk Highway within the corporate limits be and is hereby approved.

Adopted by the Council this 10th day of May, 2021.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

Mayor Rick stated the next item on the agenda was the feasibility report for the 8th Ave NW roadway extension.

City Engineer Dan Hanson stated that this is for the 8th Avenue NW roadway improvements. In 2013, the city installed the existing 8th Ave roadway accessing the proposed site from MN Trunk Highway 9 to service the Dollar General store. The current plans are to install a new municipal liquor store south of the 8th Avenue corridor and part of the plan to access this new building and parking lot requires that 8th Avenue be extended. The purpose of this report is to provide estimated costs for this expansion, and provide recommendations as to the feasibility of this work to be completed. It is recommended that the street is not extended any further than is required to provide adequate access to the new liquor store site. There are no immediate plans for additional business being constructed to the west of the liquor store access. There is no watermain intended to be installed underneath the 8th Ave NW roadway extension. It is anticipated that a 1" water service will be connected to the existing 8" watermain to service the liquor store. It is anticipated that an 8" sanitary sewer service will be connected to the existing 8" sanitary sewer main via a new manhole to service the liquor store. The estimated costs of approximately \$37,000 if the city were to bid this project separately from the site design currently out for bids and an estimated cost of \$20,000 if it is included in the current bid. Council members had no further questions for Mr. Hanson.

05-10-21-12 Motion by Mrs. Stuvland and second by Mr. Goedke to accept the feasibility report for the 8th Ave NW improvements. Motion carried.

Mayor Rick stated the next item on the agenda was the feasibility report for MN TH 9 reconstruction project.

City Engineer Dan Hanson stated that this project will be replacing aging infrastructure to take advantage of MNDOT paying for the roadway improvements. The current plan is for TH 9 to be milled and overlaid coming in to Barnesville from the west to the railroad tracks. East of the railroad tracks and north on TH 9/Front Street the roadway will be reconstructed to an urban section that has less width than what currently exists. The total estimated local cost of approximately \$1,611,750 if the watermain on Main Avenue west of Front Street is not constructed or if these improvements are constructed, an estimated cost of approximately \$1,977,550.

05-10-21-13 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the Resolution receiving the Feasibility report and schedule a public improvement hearing for the MN TH 9 Reconstruction Project for June 10, 2021. Upon a roll call vote, the following voted aye: Councilmembers Stokka, Goedtke, Stuvland, Bauer, Bergman and Bauer. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 05-10-21-13**

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. 2023-01, the improvement of Main Avenue/MN TH 9 from 5th Street SW to Front Street and on Front Street between the intersection of Main Avenue/MN 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 this report was received by the council on May 10, 2021, and

WHEREAS, it is noted that the description of the improvement location stated above was amended from the previous resolution calling for the Feasibility Report to now include the area of Main Avenue/MN TH 9 west of Front Street.

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 of such street in accordance with the report, including the added area of Main Avenue/MN TH 9 west of Front Street and the assessment of abutting property for the utility work and an area wide assessment district 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 \$1,611,750.

2. A public hearing shall be held on such proposed improvement on the 10th day of June 10, 2021, in the Barnesville High School gymnasium located at 302 3rd Street SE at 6:30 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 10th day of May, 2021.

Jason Rick, Mayor

Jeri Reep, City Clerk

Mayor Rick stated the next item on the agenda was the Resolution for the Commercial Park 5th Addition, approving plans and specifications and ordering advertisement for bids.

05-10-21-14 Motion by Mr. Goedtke and second by Mr. Bauer to approve the Resolution approving plans and specifications and ordering advertisement for bids for the Commercial Park Fifth Addition. Upon a roll call vote, the following voted aye: Councilmembers Stokka, Goedtke, Stuvland, Bauer, Bergman and Bauer. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 05-10-21-14**

Resolution Approving Plans and Specifications and Ordering Advertisement for Bids

WHEREAS, pursuant to a resolution passed by the council April 12, 2021, Moore Engineering, Inc. has prepared plans and specifications for 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 2nd Addition and has presented such plans and specifications to the council for approval;

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The city clerk shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received and accepted via electronic bid (bid) through Quest CDN until June 8, 2021 at 10 a.m. Bids will be viewed and read via video/phone conference at 10:30 a.m. by the city engineer and city clerk. Bids will then be tabulated, and will be considered by the council at 7:00 p.m. on June 14, 2021 in the meeting room in Old City Hall at 101 Front St. S. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with Quest CDN and accompanied by a bid bond for 5 percent of the amount of such bid.

Jason Rick, Mayor

Jeri Reep, City Clerk

Mayor Rick stated the next item on the agenda was the resolution declaring Potato Days a community-wide festival.

05-10-21-15 Motion by Mrs. Stuvland and second by Mrs. Bergman to approve the resolution declaring Potato Days a Community-Wide event. Upon a roll call vote, the following voted aye: Councilmembers Stokka, Goedtke, Stuvland, Bauer, Bergman and Bauer. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION DECLARING BARNESVILLE
POTATO DAYS A COMMUNITY-WIDE FESTIVAL
RESOLUTION NO. 05-10-21-15**

WHEREAS, Barnesville Potato Days is an annual festival occurring in the City of Barnesville; and

WHEREAS, Barnesville Potato Days involves activities and entertainment that involve not only the Barnesville community but surrounding communities; and

WHEREAS, Barnesville Potato Days will occur on August 27th through August 28th, 2021; and

WHEREAS, the Barnesville City Council desires to promote Potato Days and encourage local businesses to participate in Barnesville Potato Days; and

WHEREAS, it is necessary to designate Potato Days as a community festival to enable and authorize the City of Barnesville to grant community festival special event liquor licenses pursuant to Section 5.33 of the Barnesville City Code; and

WHEREAS, the Barnesville City Council desires to formally recognize Potato Days as a community-wide festival.

NOW, THEREFORE, BE IT RESOLVED, that Barnesville Potato Days is hereby designated a community-wide festival.

BE IT FURTHER RESOLVED that the dates of August 27th through August 28th, 2021 are designated as dates during which the City of Barnesville may issue special event community-wide festival licenses.

Dated: May 10, 2021

APPROVED:

Jason Rick
Mayor

ATTEST:

Jeri Reep
City Clerk

Mayor Rick adjourned the meeting at 8:56 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Jason Rick
Mayor