

Barnesville City Council

Regular Meeting

June 12, 2023

Mayor Rick called this regular meeting to order at 7:00 p.m. Member's present were Council members Tonya Stokka, Don Goedke, Dawn Stuvland, Alyssa Bergman and Brad Field. Absent was council member Scott Bauer. Others in attendance were City Administrator Jeremy Cossette, City Attorney Charles Ramstad, City Clerk Jeri Reep, EDA Director Karen Lauer, Finance Director Laurie Schell, Police Chief Joel Voxland, Manger Scott Nelson, TEC Manager Guy Swenson, Samantha VanWechel with West Central Initiative, and Michael Stein with the Record Review.

Mayor Rick asked if there were any additions or corrections to the agenda. City Administrator Jeremy Cossette stated that there were no additions. The Resolution establishing a No Parking Zone will be tabled at this time.

06-12-23-01 Motion by Mrs. Stokka and second by Mrs. Bergman to approve the agenda as presented, and table the Resolution establishing a no parking zone. Motion carried.

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

06-12-13-02 Motion by Mrs. Bergman and second by Mrs. Stokka to approve the consent agenda as presented. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on May 8, 2023.
2. Approval of the minutes of the special meeting held on May 25, 2023.
3. Approval of department head reports.
4. Approval of check numbers 93605 – 93762 and EFT payments for a total of \$861,622.43.
5. Approval of the appointment of Nathan Stokka to the Planning Commission.
6. Approval of the gambling permit for the Barnesville Thursday Nite Lions-July 15-16, 2023.
7. Approval of the gambling permit for the Barnesville Thursday Nite Lions-August 25, 2023.
8. Approval of the gambling permit for the Lake Agassiz Habitat for Humanity-July 27, 2023.
9. Approval to hire Stephanie Hedland as Pro Shop Attendant
10. Approval to hire Graham Sauve as a Seasonal Mower.
11. Approval to accept the resignation of Telephone Technician Elliot Goheen.

12. Approval of the Turner 2023-2025 agreement.
13. Approval of the TEC building renovation.
14. Approval of Tornell Contracting bid for the American Legion building in the amount of \$256,257.00.
15. Approval of the sale of the F-250 public works vehicle.

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

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

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

Mayor Rick stated the next item on the agenda was the Mayor and Council Members announcements. Mayor Rick thanked Michael Stein with the Record Review for his years reporting the council meetings. Mayor Rick also thanks Telephone Technician Elliot Goheen for his years of employment with the city.

Mayor Rick stated the next item on the agenda was the West Central Initiative presentation.

Samantha VanWechel-Meyer approached council members and thanked Mayor Rick and council members for their support to their program. Ms. VanWechel-Meyer discussed the community development and programs they offer. Mayor Rick asked if council members had any questions for Ms. VanWechel-Meyer. There were no questions.

Mayor Rick stated the next item on the agenda was the 2nd reading of Ordinance 2023-07.

City Administrator Jeremy Cossette stated that no changes have been made since the 1st reading of this ordinance.

06-12-13-03 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the 2nd reading of Ordinance 2023-07. Motion carried.

ORDINANCE NUMBER 2023-07

CITY OF BARNESVILLE, MINNESOTA

AN ORDINANCE AMENDING THE BARNESVILLE CITY CODE

The Council of the City of Barnesville, Minnesota does ordain:

1. Title VII, Chapter 7-01, Section 7-0104, Subd. 2 Definitions is hereby amended to add a new definition number 34, as follows:

- 34. “Laundromat”** - A place of business where patrons wash and dry machines operated by the patron.
2. Title VII, Chapter 7-01, Section 7-0104, Subd. 2 Definitions is hereby amended renumber the definitions 34 through 65 by increasing each number by one, in order to add the new definition number 34.
 3. Title VII, Chapter 7-02, Section 7-0206 Subd. 2, C-1 COMMERCIAL DISTRICT of the Barnesville City Code is hereby amended to add the following Permitted Use:

M. Laundromat.

4. Title VII, Chapter 7-02, Section 7-0207 Subd. 2, C-2 COMMERCIAL DISTRICT of the Barnesville City Code is hereby amended to add the following Permitted Use:

Q. Laundromat.

5. Title VII, Chapter 7-02, Section 7-0209 Subd. 2, I-1 LIGHT INDUSTRIAL DISTRICT of the Barnesville City Code is hereby amended to add the following Permitted Use:

Q. Laundromat.

6. Title VII, Chapter 7-02, Section 7-0210 Subd. 2, I-2 HIGHWAY INDUSTRIAL DISTRICT of the Barnesville City Code is hereby amended to add the following Permitted Use:

I. Laundromat.

7. Title VII, Chapter 7-06, Section 7-0601 Subd. 2, Building Type and Construction of the Barnesville City Code is hereby amended to read as follows:

Subd. 2. Building Type and Construction. No galvanized or unfinished steel, galvalum or unfinished aluminum buildings, walls or roofs shall be permitted in any zoning district except in association with farming operations, or in industrial zones, or as permitted by conditional use permit.

8. Title VII, Chapter 7-06, Section 7-0602 Subd. 10, Off-Street Residential Parking Restrictions, Subparagraph B of the Barnesville City Code is hereby amended to read as follows:

B. Utility trailers or equipment, recreational camping vehicles (as defined in Sec. 5-0303 of the City Code), converted buses, converted vans, off-road vehicles, and recreational equipment, including, but not limited to, boats, snowmobiles or jet skis shall be parked in accordance with the requirements in this subdivision. The aforementioned items must be well maintained and in an operable condition and validly licensed.

i. Outdoor storage is allowed on vacant residential lots provided (as referenced above):

- a) No more than one vacant residential lot is used for storage; and
- b) Said vacant lot directly abuts, that is has a common lot line with, a property under the same fee ownership; and
- c) One of the lots contains an established dwelling.

In those cases where a property owner owns a vacant lot immediately behind the lot on which their home sits and that vacant lot abuts upon another street, the owner is required to follow the standard "front yard setback" from that street with regard to utilizing that vacant lot for any outdoor storage. If the vacant lot is next to the lot on which the home sits, the standard side yard setbacks apply to utilizing that vacant lot for any outdoor storage.

ii. In a front yard or a street side yard the items listed above shall be parked on a paved surface consisting of concrete, asphalt or pavers. If the existing driveway is gravel, 6 inches of compacted class 5 may be used in a front yard or street side yard to meet the paved surface requirements. All paving must be continuous below the footprint of the vehicle and be constructed so that it drains away from all existing structures.

iii. In a rear yard or an interior side yard the items listed above shall be parked on a paved surface consisting of concrete, asphalt, pavers or 6 inches of compacted class 5. All paving must be continuous below the footprint of the vehicle and be constructed so that it drains away from all existing structures. Trailers whose total ground coverage is 85 square feet or less are exempt from the paved surface requirements in a rear yard or interior side yard.

9. Title VII, Chapter 7-08, Section 7-0801 Subd. 5, Residential District Fences of the Barnesville City Code is hereby amended to read as follows:

Subd. 5. Residential District Fences.

- A. All residential fences shall be placed within the property being fenced.
- B. Fences alongside property lines shall not be more than six (6) feet in height.
- C. Fences along any rear property line, which is also the rear property line of an abutting lot, shall not exceed six (6) feet in height.
- D. Fences along a rear property line, which line constitutes the side lot line of an abutting lot, shall not exceed six (6) feet in height.
- E. The screening provisions for residential districts shall supersede, where applicable, the provisions of this section.
- F. All posts or similar supporting instruments used in the construction of fences, shall be faced inward toward the property being fenced.
- G. All fences shall not obstruct drainage.
- H. Fences are not allowed within utility easements. Existing fences obstructing the use of utility easements shall be removed at the owner's expense when access is required by the utility. Existing fences are those that are existing as of October 1, 2010.
- I. Fences in required front yards shall not exceed thirty-six inches (36") in height except that fences that are at least seventy-five percent (75%) open may be forty- eight inches (48") in height.

10. Title VII, Chapter 7-08, Section 7-0801 Subd. 6, Residential District Fences of the Barnesville City Code is hereby amended to read as follows:

Subd. 6. Commercial and Industrial District Fences.

A. Commercial and Industrial District fences are those fences located within commercial or industrial zoned areas of the City.

B. Fences shall be placed within the property where the fence is being built.

C. Fences extending across a required front yard or a required side yard which abuts a street on a corner lot shall be at least seventy-five percent (75%) open for the passage of air and light and shall maintain the traffic visibility requirements of this Section.

D. All commercial and industrial fences shall require a conditional use permit.

E. Fences which are primarily erected as a security measure may have arms projecting into the applicant's property on which barbed wire can be fastened commencing at a point at least seven feet (7') above the ground.

11. Title VII, Chapter 7-11, Geothermal Heating Systems of the Barnesville City Code is hereby amended to read as follows:

GEOTHERMAL HEATING SYSTEMS

SECTIONS:

7-1101. Purpose.

7-1102. State Requirements.

7-1103. City Requirements.

7-1104. City Inspection and Monitoring of Geothermal Facilities.

7-1105. Defective Geothermal Heating Systems.

SEC. 7-1101. PURPOSE. The purpose of this ordinance is to regulate the use of geothermal heating systems within the City of Barnesville.

SEC. 7-1102. STATE REQUIREMENTS. Residents may install Geothermal Heating systems in the City of Barnesville provided they follow all rules in Minnesota Rules Chapters 4725.7050-4725.3875 and obtain all required permits through the State of Minnesota.

SEC. 7-1103. CITY REQUIREMENTS. The City of Barnesville requires that all Geothermal Heating systems be registered.

A. Property owners are required to register their systems by providing the City Administrator with all State of Minnesota approved permits prior to installation.

B. Before installing Geothermal Heating system, residents are required to obtain a City of Barnesville Building Permit.

SEC. 7-1104. CITY INSPECTION AND MONITORING OF GEOTHERMAL FACILITIES. In connection with the principal functions and activities of the city resource management responsibility, City officials may, upon reasonable notice to the owner, enter upon any property within the city for purposes of inspecting geothermal facilities, or monitoring the operational characteristics of such facilities, when such inspection or monitoring is reasonably necessary to the assessment of other indices

related to geothermal or ground water reservoir management, or protection of the public safety and welfare. The City shall provide affected property owners or occupants with reasonable prior notice, describing the nature, purpose, and duration of the necessary inspection or monitoring; such inspections or monitoring shall be conducted in accordance with applicable city and state procedures for inspections. If any person refuses to permit any officer or employee to enter and inspect, the City officer or employee shall not attempt to force entrance, but shall, with the assistance of the City Attorney, seek a search warrant or other appropriate court order.

SEC. 7-1105. DEFECTIVE GEOTHERMAL HEATING SYSTEMS. Whenever the City Administrator determines that any geothermal heating system within the City is by the nature of its construction, installation, or operation is adversely interfering with other geothermal heating systems, or is polluting groundwater or surface water, the City Administrator shall promptly notify the affected owner, by certified mail, of the wasteful or defective geothermal heating system and require said owner to repair or adjust the geothermal heating system within twenty- four (24) hours; the owner of a geothermal heating system continuing wasteful or defective operation after expiration of the twenty-four (24) hours may be prosecuted for being in violation of this ordinance.

This ordinance is adopted by affirmative vote of five of the six (6) Ward Representatives of the City Council, constituting a majority of the Ward Representatives.

Approved by Mayor this 12th day of June, 2023.

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading : _May 8, 2023

Second Reading: _June 12, 2023

This ordinance is effective thirty (30) days after publication.

Published once in the official newspaper of the City of Barnesville on June 26, 2023

Mayor Rick stated the next item on the agenda was the approval of the summary ordinance 2023-07.

06-12-13-04 Motion by Mrs. Stuvland and second by Mrs. Bergman to approve the summary ordinance 2023-07. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2023-07

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An Ordinance Amending the Barnesville City Code

2. Summary of Ordinance:

This ordinance amends multiple Barnesville City Codes to include amending Section 7-01, relating to the business of a laundromat; to amend Section 7-06, relating to off-street residential parking restrictions; to amend Section 7-08, relating to fencing; to amend Section 7-11, relating to regulating Geothermal Heating Systems.

3. Availability of Ordinance:

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Barnesville City Hall, 102 Front Street North, Barnesville, Minnesota.

This Ordinance was passed by the City Council of the City of Barnesville on the 12th day of June 2023.

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: May 8, 2023
Second Reading: June 12, 2023
Adopted: June 12, 2023
Published: June 26, 2023

Mayor Rick stated the next item on the agenda was the approval of a variance at 324 5th Street NE.

City Administrator Jeremy Cossette informed council members that Brady Tweeton, 324 5th Street NE has requested a 13 foot variance to reduce the front yard setback from 25 feet to 12 feet for a new detached accessory building. The house is set at an angle on the lot, which is on the southeast side of the intersection of 4th Ave NE and 5th Street NE. The Planning Commission recommend approval of the variance.

06-12-23-05 Motion by Mrs. Stuvland and second by Mr. Goedke to approve the variance at 324 5th Street NE for Brady Tweeton. Motion carried.

Mayor Rick stated the next item on the agenda was the variance request at 502 4th Street SE.

City Administrator Jeremy Cossette informed council members that J & J Properties have requested multiple variances to split a residential lot. The Planning Commission recommend approval of the several variances which are needed to accommodate a requested lot split. The variances for the north lot are minimum lot area requirement, minimum lot depth requirement and maximum lot coverage requirement. The south lot will need a variance for a minimum lot depth requirement. Council member Stokka questioned if both properties have their own water and sewer. City Administrator Cossette stated that each property has their own water and sewer lines. City Administrator Jeremy Cossette stated that there was nobody against this variance at the Planning Commission meeting.

06-12-23-06 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the variance at 502 4th Stret SE for J & J Properties. Motion carried.

Mayor Rick adjourned the meeting at 7:35p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Jason Rick
Mayor