

Barnesville City Council

Regular Meeting

October 9, 2023

Mayor Rick called this regular meeting to order at 7:00 p.m. Member's present were Council members Tonya Stokka, Dawn Stuvland, Scott Bauer, and Brad Field. Council members absent were council members Bergman and Goedtke. Others in attendance were City Administrator Jeremy Cossette, City Attorney Charles Ramstad, City Clerk Jeri Reep, EDA Director Karen Lauer, Public Works Director Charlie Revering, Finance Director Laurie Schell, Police Chief Joel Voxland, TEC Manager Guy Swenson, Ambulance Manger Scott Nelson, Tonya Heiden, Tammy Grommesh, Greg Anderson, Rachel Farnham, and Ley Bouchard with the Record Review.

Mayor Rick asked if there were any additions or corrections to the agenda. City Administrator Jeremy Cossette stated that the closed session on the agenda can be removed, that the Special City Council meeting on October 16, 2023, was cancelled, and the council ethics training would be held on the regular meeting on January 2024.

10-09-23-01 Motion by Mrs. Stuvland and second by Mrs. Stokka to approve the agenda as presented, with the removal of the closed session on the agenda. Motion carried.

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

10-09-23-02 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 minutes of the regular meeting held on September 11, 2023.
2. Approval of the minutes of the special meeting held on September 21, 2023.
3. Approval of the department head reports.
4. Approval of check numbers 94114-94208 and EFT payments for a total of \$748,279.40.
5. Approval of the 3rd quarter transfers.
6. Approval of West Central Initiative donation in the amount of \$2,000.00.
7. Approval of travel for TEC Manager Guy Swenson and City Administrator Jeremy Cossette to attend the MRES Area meeting-Oct. 25, 2023.
8. Approval of travel for TEC Manager Guy Swenson to attend the Interstate Telecom Consulting Client Seminar-Nov. 15-16, 2023.
9. Approval of Municipal Utility 125th Birthday pancake breakfast-Nov. 18, 2023

10. Approval of AMI meter purchase in the amount of \$35,435.13.
11. Approval of laptop purchase for the Telephone Dept.
12. Approval of the LMC Insurance Liability Coverage Waiver, that the City does not waive the monetary limits on municipal tort liability.

Mayor Rick stated the next item was the boards 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.

Ms. Rachel Farnham, 502 Front Street North, approached the council. Ms. Farnham was concerned with the increased traffic in the alley, and children possibly getting hurt with the vehicles going fast in the alley. Ms. Farnham questioned if anything could be done about this issue. Mayor Rick stated that the Police Chief would look into the traffic in the alley by 502 Front Street North.

Mayor Rick asked if there were any other 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 and council members had nothing to report.

Mayor Rick stated the next item on the agenda was the public hearing for the body worn camera system.

10-09-23-03 Motion by Mrs. Stokka and second by Mrs. Stuvland to open the public hearing at 7:09 p.m. for the opportunity for public comment before it purchases or implements a body worn camera system that will be used by police officers. Motion carried.

Police Chief Joel Voxland stated that the Police Department intends on purchasing and implanting body worn cameras for the officers to use during their shifts. The goal is to select a vendor by the end of the year and purchase the equipment using the money from the one-time state Public Safety funding that will be received by the end of the year. Minnesota State Statue requires the governing body with jurisdiction over the budget of the law enforcement agency to provide an opportunity for public comment at the regularly scheduled meeting. A notice was placed in the Record Review in the September 25, 2023, edition.

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

10-09-23-04 Motion by Mrs. Stuvland and second by Mr. Bauer to close the public hearing at 7:21 p.m. Motion carried.

Mayor Rick stated the next item on the agenda was the CUP request from Jeremy and Chandler Burnside.

City Administrator Jeremy Cossette informed council members that Jeremy and Chandler Burnside are requesting an extension of their CUP from 2022. City Administrator Jeremy Cossette stated that staff recommend is to send this item back to the Planning Commission for review.

10-09-23-05 Motion by Mr. Bauer and second by Mrs. Stokka to send the CUP request from Jeremy and Chandler Burnside back to the Planning Commission for their review. Motion carried.

Mayor Rick stated the next item on the agenda was the variance request from Farmer's Cooperative Oil Company.

City Administrator Jeremy Cossette informed council members that Cenex has requested a variance to allow them to construct a new fuel station canopy in which the top of the canopy extends into the side yard setback. A public hearing was held, and there was one individual against this request, there were no other comments. The Planning Commission recommends approval of this variance.

10-09-23-06 Motion by Mr. Bauer and second by Mr. Field to approve the variance request for Farmers' Cooperative Oil Company, 619 Front Street North. Motion carried.

Mayor Rick stated the next item on the agenda was the 2nd reading of Ordinance 2023-09, an ordinance amending the City Code.

City Administrator Jeremy Cossette stated that there were no changes to this ordinance from the first reading.

10-09-23-07 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the 2nd reading of Ordinance 2023-09. Motion carried.

ORDINANCE NUMBER 2023-09

CITY OF BARNESVILLE, MINNESOTA

AN ORDINANCE AMENDING THE BARNESVILLE CITY CODE

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

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

C. Except in the C-3 Zone, all commercial and industrial fences shall require a Conditional Use Permit.

This ordinance is adopted by affirmative vote of four of the six (6) Ward Representatives of the

City Council, constituting a majority of the Ward Representatives.

Approved by Mayor this 9th day of October, 2023.

Jason Rick, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading :_September 11, 2023

Second Reading: October 9, 2023

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

Council member Goedtke arrived at 7:29 p.m.

Mayor Rick stated the next item on the agenda was the resolution for the TIF District 1-8.

EDA Director Karen Lauer stated that TIF District 1-8 was established to support the construction of the new fertilizer facility on Main Avenue and has now reached the reimbursement limit as specified in the Development Agreement.

10-09-23-08 Motion by Mr. Bauer and second by Mrs. Stokka to approve the resolution approving the decertification of tax increment financing District No. 8 of the City of Barnesville Economic Development Authority. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, and Field. The following were absent: Council member Bergman. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 10-09-23-08
BEING A RESOLUTION APPROVING THE DECERTIFICATION
OF TAX INCREMENT FINANCING DISTRICT NO. 8 OF THE
CITY OF BARNESVILLE ECONOMIC DEVLEOPMENT
AUTHORITY.**

BE IT RESOLVED by the City Council (the “Council”) of the City of Barnesville, Minnesota (the “City”), as follows

WHEREAS, on July 9, 2012, the Economic Development Authority in and for the City of Barnesville, Minnesota (the "EDA") created its Tax Increment Financing District No. 8, (the "District") within its Redevelopment Project No. 1 (the "Project"); and

WHEREAS, the tax increment obligation to which tax increment from the District have been pledged was paid in full, and

WHEREAS, all other costs of the Project have been paid; and

WHEREAS, the City desires by this resolution to cause the decertification of the District after which all property taxes generated by property within the District will be distributed in the same manner as all other property taxes beginning 2024.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Barnesville that the City's staff shall take such action as is necessary to cause the County Auditor of Clay County to decertify the District as a tax increment district and to no longer remit tax increment from the District to the City.

DATED: October 9, 2023

Jason Rick, Mayor

ATTEST:

Jeremy Cossette, City Administrator

Mayor Rick stated the next item on the agenda was the FCC-USAC E-ACAM offer.

TEC Manager Guy Swenson informed council members about an offer from USAC that would freeze our current annual USAC funding for 6 years, then in years 7 through 15 our funding would decrease by 4% until it reaches the new funding level. It was recommended by Interstate Telecom and staff to not accept the E-ACAM offer.

10-09-23-09 Motion by Mr. Field and second by Mr. Bauer to not accept the Barnesville Enhanced Alternate Connect America Cost Model (E-ACAM) offer. Motion carried.

Mayor Rick stated the next item on the agenda was the resolution for the cable rate increase.

TEC Manager Guy Swenson informed council members that due to annual cost increases for all cable channels, Barnesville Cable TV will have to increase rates to recover these additional costs. TEC Board recommends the council increase Preferred Basic price by \$6.00 per month.

10-09-23-10 Motion by Mr. Field and second by Mr. Bauer to approve the following resolution setting the 2023 Cable TV rates. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, and Field. The following were absent: Council member Bergman. Motion carried.

CITY OF BARNESVILLE

COUNTY OF CLAY

STATE OF MINNESOTA

RESOLUTION NO. 10-09-23-10

RESOLUTION SETTING 2023 CABLE TV RATES

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

WHEREAS: the City of Barnesville, has received and reviewed the 2023 Cable TV Rates; and

WHEREAS: the 2023 Cable TV Rates are as follows:

Per month service rate* (plus applicable taxes and FCC charges)

Economy Basic Cable \$28.95

Preferred Basic ~~\$92.95~~ \$98.95

HD Equipment Charge **+ \$ 9.99

Requires Preferred Basic Service** required to receive HD+

Per month premium channel rate* (plus applicable taxes and FCC charges)

HBO \$16.00

CINEMAX \$ 9.25

Per month premium channel package rate* (plus applicable taxes and FCC charges)

HBO/CINEMAX \$24.50

STARZ/ENCORE \$ 7.95

Per Month equipment charges (plus applicable taxes and FCC charges)

Each Cable customer will be allowed up to two (2) PICO VMX1 Set Top Boxes at no charge per month.

Additional boxes will be charged at the following monthly rates:

PICO VMX1 Set Top Boxes\$4.95 per month per box

Personal Video

Recorder (PVR)\$10.95 per month per box

Set Top Boxes can be purchased at the following Rates:

PICO VMX1Set Top Boxes Purchase Price\$66.70 per box

PICO VMX3 Personal Video Recorder (PVR)

Purchase Price\$229.00 per box

Monthly cable TV costs for businesses and institutions such as Nursing homes, Assisted living, Hotels and Motels. This section is exclusive to the above-mentioned Institutions.

BULK RATE: *

Utilize the current monthly Basic/Preferred Basic rate plus the total number of living units multiplied times the current wholesale cost of programming.

Utilize a mix & match process. Subscribe to Preferred Basic for the "House" location and the Basic rate for the resident units

Examples:

Preferred Basic*

~~\$92.95~~ \$98.95 plus 11 living units x ~~\$77.42~~ \$81.35 (the wholesale cost of programming)
= ~~\$944.57~~ \$993.80 plus tax and FCC charge.

Economy Basic*

\$28.95 plus 11 living units x \$16.40 (the wholesale cost of programming) = \$209.35 plus tax and FCC charge.

Mix & Match* (Preferred Basic & Basic)

\$92.95 plus 11 living units x \$16.40 (the wholesale cost of programming) = \$273.35 plus tax and FCC charge.

Premium Channels*

HBO: \$16.00 per month per subscriber when provided on an individual occupant basis.

\$12.00 per month per subscriber when provided to all occupants.

Cinemax: \$12.00 per month per subscriber when provided on an individual occupant basis.

\$9.25 per month per subscriber when provided to all occupants.

Starz/Encore: \$7.95 per subscriber

Service Charges

New Install \$49.95

Applicable to a residence/business to which Cable TV service has never been installed. Does not apply to multi-tenant buildings.

Relocates: \$19.95

Relocating established cable service from one location to another.

Install additional outlet: \$15.00

Outlets installed at the time when service is established or relocated.

Reconnect: \$19.95

Restoring service previously disconnected.

Service Call: \$19.95

Charge applies for services performed at user's request. Also applies when repair calls are made as a result of defective or improperly tuned customer owned equipment.

Install Outlet:\$19.95

Charge applies to each additional outlet installed at a current subscriber's location.

*Premium channels not included. All rates subject to change.

Incentives

- 1) Refer a Friend Program:
New Customers to Barnesville Cable TV can receive a one-time \$10.00 credit for being referred to Barnesville Cable TV by a current Barnesville Cable TV customer. The Referring Barnesville Cable TV customer will also receive a \$10.00 credit for referring a new customer.
 - a) To receive the referral reward credit, the new customer must mention the referral at the time they sign up for service.
 - b) Only one \$10.00 referral reward credit per customer. (Name on the Account)
 - c) Current customers are eligible for multiple referral rewards. They will receive a \$10.00 referral reward credit for each new customer they refer to Barnesville Cable TV.
 - d) \$10.00 referral reward credits will be paid to the referring customer after the new customer has signed up for Barnesville Cable TV.
 - e) Previous Barnesville Cable TV customers returning to Barnesville Cable TV are eligible for the one-time \$10.00 referral reward credit.

NOW, THEREFORE, BE IT RESOLVED: that the 2023 Cable TV Rates are hereby adopted by the City Council.

BE IT FURTHER RESOLVED: that the approved 2023 Cable TV Rates will remain in effect until otherwise amended by resolution of the City Council.

BE IT FURTHER RESOLVED: that this resolution will be effective November 8, 2023

Dated: October 9, 2023

APPROVED:

Jason Rick, Mayor

ATTEST:

Jeremy Cossette, City Administrator

Mayor Rick stated the next item on the agenda was the resolution calling for a hearing on proposed assessment for the Hwy 9/Front Street reconstruction project.

City Administrator Jeremy Cossette stated that the hearing will be held at the November regular council meeting. City Engineer Andrew Aakre discussed the comparison in price after the city buy down in the amount of \$300,000. Mr. Aakre stated that the project is not complete yet. There were no questions for Mr. Aakre.

10-09-23-11 Motion by Mrs. Stokka and second by Mr. Goedtke to approve the resolution calling for hearing on proposed assessment for the Hwy 9/Front Street Reconstruction Project. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer and Field. The following were absent: Council member Bergman. Motion carried.

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

**RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENT FOR THE
HWY 9/FRONT STREET RECONSTRUCTION PROJECT**

RESOLUTION NO. 10-09-23-11

WHEREAS, by resolution passed by the City Council on September 11, 2023 (Resolution 09-11-23-), the City Administrator, with the assistance of the City Engineer, was

directed to prepare proposed assessment of the cost of contract has been let for State of Minnesota: Department of Transportation Contract No. 1051249A01 (Hwy 9/Front Street Reconstruction Project”); and

WHEREAS, the City Administrator has notified the City Council that such proposed assessment has been completed and filed at City Hall for public inspection.

NOW, THEREFORE, BE IT RESOLVED, the City Council for the City of Barnesville:

1. A hearing shall be held at the regularly scheduled City Council meeting at 7:00 p.m. on November 13, 2023 at the Barnesville City Hall located at 102 N Front Street to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing and will state in the notice the total cost of the improvement. The City Administrator shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to Barnesville City Hall, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. An owner may at any time thereafter, pay to the County Auditor entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

ADOPTED.

Dated: October 09, 2023

APPROVED:

Jason Rick
Mayor

ATTEST:

Jeremy Cossette
City Administrator

Mayor Rick adjourned the meeting at 7:43 p.m.

Submitted by:

Jeri Reep
City Clerk

Attest:

Jason Rick
Mayor