

**COUNCIL MEETING MINUTES  
LIBRARY MEDIA CENTER  
REGULAR MEETING  
412 2<sup>nd</sup> Street, Ortonville, MN  
Tuesday, February 17, 2015  
5:00 P.M.**

**CALL TO ORDER AND ROLL CALL:**

Mayor Steve Berkner called the Regular Meeting to order at 5:10 P. M. Roll Call was taken with the following present: Sykora, Berkner, Hasslen, Thomas, Reinke. Absent: Dorry, Hausauer. Media: Mike Swenson (Ortonville Independent). Staff present: Char Grossman, Susan Lundell, Tim Scherer, Andrew Buchholz.

**AGENDA AMENDMENTS:**

**ADD: 10.e. Resolution Approving Construction Management Contract-Hasslen Construction-Senior Housing Project**

**10.f. Resolution for Acquisition of Option-Purchase Lot 17-Dan Bauer**

A motion was made by Reinke and seconded by Thomas and passed unanimously to approve the Agenda as amended.

**PUBLIC PARTICIPATION AND CORRESPONDENCE:**

None.

**CONSENT AGENDA:**

Mayor Berkner asked if there were any additions, corrections, or deletions to be made to the Consent Agenda.

- a. \*Approve Minutes Regular Council Meeting-02-02-15
- b. \*Resolution Approving 1-Year Site Agreement Contract-WearEver Recycling
- c. \*Approve Parade Permit-04-20-15-Walk Against Child Abuse-Hwy 7

A motion was made by Reinke and seconded by Thomas and passed unanimously to approve the Consent Agenda as presented.

**PUBLIC HEARINGS:**

None.

**ACCEPTANCE OF BOARD AND COMMITTEE MINUTES AND, WHERE NECESSARY, COUNCIL ACTION ON THEIR RECOMMENDATIONS:**

- a. Library Board Minutes-01-28-15

A motion was made by Sykora and seconded by Hasslen and passed unanimously to accept the Library Board minutes of 01-28-15.

b. Golf Board Minutes-01-06-15

A motion was made by Hasslen and seconded by Sykora and passed unanimously to accept the Golf Board minutes of 01-06-15.

c. Golf Board Minutes-02-03-15

A motion was made by Sykora and seconded by Reinke and passed unanimously to accept the Golf Board minutes of 02-03-15.

1. Resolution Approving 2015 Clubhouse Lease Agreement

Hasslen moved and Sykora seconded that the following Resolution be adopted:

**RESOLUTION 15-022  
RESOLUTION APPROVING 2015 LEASE AGREEMENT WITH ADAM  
ELLARD FOR THE GOLF COURSE CLUBHOUSE**

WHEREAS, the City has received a recommendation from the Golf Board regarding the renewal of the Golf Course Clubhouse Lease Agreement; and

WHEREAS, the City Council finds that Adam Ellard is a responsible bidder for the lease, and

WHEREAS, Adam Ellard has agreed to supply a surety bond for City funds in the amount of \$8,500.00;

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Ortonville to enter into the 2015 Lease Agreement with Adam Ellard for the Ortonville Golf Course Clubhouse, in the form substantially as submitted by Ellard.

BE IT FURTHER RESOLVED that a Surety Bond acceptable to the City in the amount of \$8,500.00 be supplied by Ellard and Ellard will supply a certificate of insurance acceptable to the City.

Upon roll call vote the following voted Aye: Sykora, Berkner, Hasslen, Thomas, Reinke. Nay: None.

Resolution 15-022 passed this 17<sup>th</sup> day of February 2015.

APPROVE:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

d. Planning & Zoning Minutes-02-02-15

A motion was made by Reinke and seconded by Thomas and passed unanimously to accept the Planning & Zoning minutes of 02-02-15.

e. Street-Utility Committee Minutes-02-11-15

A motion was made by Reinke and seconded by Hasslen and passed unanimously to accept the Street-Utility Committee minutes of 02-11-15.

1. Resolution Declaring Emergency Repair-Railroad Culvert-\$84,500.00

Reinke moved and Sykora seconded that the following Resolution be adopted:

**RESOLUTION 15-023  
RESOLUTION AUTHORIZING EMERGENCY REPAIR OF RAILROAD  
CULVERT-\$84,500.00**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to authorize the emergency repair of a railroad culvert at a cost of \$84,500.00. Funds for the expense will come from the Storm Sewer Fund.

Upon roll call vote the following voted Aye: Sykora, Berkner, Hasslen, Thomas, Reinke and the following voted Nay: None.

Resolution 15-023 passed this 17<sup>th</sup> day of February 2015.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

2. Approve Incorporating Airport Board into Street-Utility Committee

A discussion was held regarding incorporating Airport Board members into the Street-Utility Committee for the purpose of considering and acting on Airport issues.

A motion was made by Hasslen and seconded Sykora and passed unanimously to incorporate the Airport Board members into the Street-Utility Committee for the purpose of considering and acting on Airport issues.

A motion was made by Thomas and seconded by Sykora and passed to appoint Council Member Reinke to the combined Airport Board-Street Utility Committee. Abstain: Reinke.

**STAFF REPORTS:**

Clerk-Administrator Char Grossman reported on the progress being made in transferring Federal Airport Entitlement Funds to Rush City.

**NEW BUSINESS:**

- a. Resolution Approving 1-Year Site Agreement Contract-WearEver Recycling (Consent)

Reinke moved and Thomas seconded that the following Resolution be adopted:

**RESOLUTION 15-024  
RESOLUTION APPROVING 1-YEAR SITE AGREEMENT-WEAREVER  
RECYCLING**

**BE IT AND IT IS HEREBY RESOLVED** by the Council of the City of Ortonville, Minnesota to enter into a site agreement with WearEver Recycling of Nowthen, Minnesota for a clothes collection bin to be located on the City Garage/Maintenance property for one year with a site rental fee of \$200.00/year.

Upon roll call vote the following voted Aye: Sykora, Berkner, Hasslen, Thomas, Reinke and the following voted Nay: None.

Resolution 15-024 passed this 17<sup>th</sup> day of February 2015.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
City Clerk-Administrator

- b. \*Approve Parade Permit-04-20-15-Walk Against Child Abuse-Hwy 7 (Consent)
- c. Resolution Approving 2<sup>nd</sup> Reading and Adoption of Ordinance 15-01 An Ordinance Approving Vacating a Portion of Lundell Avenue

Hasslen moved and Thomas seconded that the following Resolution be adopted:

**RESOLUTION 15-025  
RESOLUTION APPROVING SECOND READING AND ADOPTION OF  
ORDINANCE 15-01 AN ORDINANCE VACATING A PORTION OF LUNDELL  
AVENUE, LUNDELL-STEGNER ADDITION TO THE CITY OF ORTONVILLE**

**BE IT AND IT IS HEREBY RESOLVED** by the City Council of the City of Ortonville to approve the second reading and the adoption of Ordinance 15-01 An Ordinance Vacating a Portion of Lundell Avenue, Lundell-Stegner Addition to the City of Ortonville.

Resolution 15-025 passed this 17<sup>th</sup> day of February, 2015.

APPROVE:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

d. EDA Request to Continue the Business Corridor Program

Thomas moved and Hasslen seconded that the following Resolution be adopted:

**RESOLUTION 15-026**  
**RESOLUTION APPROVING CONTINUATION OF ORTONVILLE BUSINESS**  
**CORRIDOR IMPROVEMENT PROGRAM**

**BE IT AND IT IS HEREBY RESOLVED** by the Council of the City of Ortonville, Minnesota to continue the Ortonville Business Corridor Improvement Program created by the Ortonville EDA to develop and promote the economic vitality of the City of Ortonville by providing financial assistance for local businesses to improve the stability and appearance of the property located in the corridor (Second Street from Jackson to Jefferson). This Program was created with funds generated through the sale of EDA property in 2012. It is understood that the Deferred Loan Rebate Program will continue with the \$33,098 remaining balance and the utility rebate program will continue with a \$50,000 balance.

Upon roll call vote the following voted Aye: Sykora, Berkner, Hasslen, Thomas, Reinke and the following voted Nay: None.

Resolution 15-026 passed this 17<sup>th</sup> day of February 2015.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
City Clerk-Administrator

e. Resolution Approving Construction Management Contract with Hasslen Construction

Hasslen moved and Reinke seconded that the following Resolution be adopted:

**RESOLUTION 15-027  
RESOLUTION APPROVING CONSTRUCTION MANAGEMENT  
CONTRACT WITH  
HASLEN CONSTRUCTION COMPANY, INC.  
FOR CONSTRUCTION MANAGEMENT SERVICES OAHs SKILLED  
NURSING FACILITY /INDEPENDENT AND ASSISTED LIVING  
PROJECT**

WHEREAS, The City of Ortonville (the “City”) intends to proceed with the design and development phase of the Skilled Nursing Facility/Independent and Assisted Senior Housing Project; and;

WHEREAS, the services of a Construction Manager is necessary to provide pre-construction services and to assist in determining whether the project is feasible.

NOW THEREFORE, BE IT RESOLVED that the City of Ortonville enter into the Construction Manager Agreement submitted at this meeting with Hasslen Construction Company, Inc. for the project described above. The Mayor and City Clerk are by this Resolution authorized to execute said Agreement.

Upon roll call vote the following voted Aye: Sykora, Berkner, Hasslen, Thomas, Reinke and the following voted Nay: None.

Resolution 15-027 passed this 17<sup>th</sup> day of February 2015.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
City Clerk-Administrator

f. Resolution for Acquisition of Option to Purchase Lot 17 from Dan Bauer

**Hasslen moved and Reinke seconded to adopt the following Resolution:**

**RESOLUTION 15-028  
RESOLUTION FOR ACQUISITION OF OPTION TO  
PURCHASE LOT 17 FROM DAN BAUER**

WHEREAS, The City of Ortonville (“City”) is the design phase for the Skilled Nursing Facility/Independent and Assisted Senior Housing Project, and;

WHEREAS, Dan Bauer is the owner of Lot #17, Lundell Ave.;

WHEREAS, the City may have need of the property owned by Dan Bauer for the Project;

WHEREAS, Dan Bauer has agreed to grant the City an Option to purchase the property in the form as stated in Exhibit A

NOW THEREFORE, BE IT RESOLVED THAT, the Mayor and City Clerk Administrator are authorized to pay Dan Bauer the sum of \$500.00 as provided in the Option and executed in Exhibit A.

Upon roll call vote the following voted Aye: Sykora, Berkner, Hasslen, Thomas, Reinke and the following voted Nay: None.

Resolution 15-028 passed this 17<sup>th</sup> day of February 2015.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
City Clerk-Administrator

**EXHIBIT A**

Legal Description: Lot 17, Block 3, Lundell-Stegner Addition – Ortonville, Minnesota

Street Location of Property: Lot #17, Lundell Ave.

**UNFINISHED BUSINESS:**

a. Approve Denial of Conditional Use Permit-Daniel Bauer-4-Unit Townhome  
Deputy Clerk Lundell has written a letter to Bauer stating his application is incomplete and that the approval period would begin as soon as the fee is paid. No further action needed.

**CONSIDERATION OF BILLS:**

A motion was made by Hasslen and seconded by Thomas and passed unanimously to approve the bills as presented.

**NEW ACTIONS:**

None.

**EXECUTIVE SESSION:**

None.

**ADJOURNMENT:**

A motion was made by Sykora to adjourn at 6:00 P.M.

APPROVE:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator