

**COUNCIL MEETING MINUTES
ARMORY MEETING ROOM
CONTINUED MEETING
315 Madison Avenue, Ortonville, MN
Thursday, April 30, 2015
11:30 A.M.**

CALL TO ORDER AND ROLL CALL:

Mayor Steve Berkner called the Continued Special Council Meeting to order at 11:30 A. M. Roll Call was taken with the following present: Hausauer, Sykora, Dorry, Berkner, Hasslen, Thomas. Absent: Reinke. Staff present: Char Grossman, Susan Lundell, David McLaughlin, Roy Bailey. Also: Rick Ash, Kevin Benson, Maureen Laughlin.

AGENDA AMENDMENTS:

3.g. Combine Agenda Items 4. d, e, f, g into one Resolution

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

NEW BUSINESS:

- a. Approve Planning & Zoning Minutes-04-28-15

A motion was made by Dorry and seconded by Hausauer and passed unanimously to approve the Planning & Zoning Minutes of 04-28-15.

- b. Resolution Approving OAHs CUP & Planning & Zoning findings of Fact-Conditions

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

**RESOLUTION 15-056
RESOLUTION APPROVING FINDINGS OF FACT, CONDITIONS AND
RECOMMENDATIONS FOR THE ORTONVILLE AREA HEALTH SERVICE'S
CONDITIONAL USE PERMIT APPLICATION**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville, Minnesota to find as stated in section 150.01 (G) of the City's Zoning Ordinance that the Conditional Use Permit Application from Ortonville Area Health Services does meet the minimum requirements of the City Ordinances and therefore the City Council finds that the issue of public health, safety and welfare have been adequately addressed and were found to be in compliance with all City requirements. The City Council adopts the Findings of Fact and approves the Application with the Conditions of Use as noted. The City Council hereby approves the issuance of Conditional Use Permit #15-01 to Ortonville Area Health Services.

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

Resolution 15-056 passed this 30th day of April 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
City Clerk-Administrator

c. Resolution Appointing MN Certified Building Official & Request Inspection Services

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

RESOLUTION 15-057
RESOLUTION APPROVING INDEPENDENT CONTRACTOR-BUILDING
INSPECTOR

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to enter into an independent contractor agreement with Michael Jacobson of Raymond, MN for building inspector services for the OAHS Senior Housing Project in the amount of \$14,717.00. It is also agreed that an additional \$14,717.00 will be paid to Building Official Roy Bailey for building inspector services for the OAHS Project.

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

Resolution 15-057 passed this 30th day of April 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

d. Resolution Approving Amendment No. 1 Standard Agreement & General Conditions Between the City of Ortonville & Hasslen Construction Company

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

RESOLUTION 15-058
RESOLUTION APPROVING AMENDMENT NO. 1 STANDARD AGREEMENT AND
GENERAL CONDITIONS BETWEEN THE CITY OF ORTONVILLE AND HASSLEN
CONSTRUCTION COMPANY

WHEREAS, on February 17, 2015, the City of Ortonville (the “City”) and Hasslen Construction Company executed a STANDARD AGREEMENT and GENERAL CONDITIONS (contract); and:

WHEREAS, the Project has received responses to bids for the specifications; and

WHEREAS, the Project Budget and Disbursement Schedule was presented to the meeting; and

WHEREAS, Hasslen Construction Company has included the lowest responsible compliant bids in its Guaranteed Maximum Price (GMP) for the work as shown as Amendment No. 1 attests hereto as Exhibit ‘1’; and

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Ortonville that the Amendment No. 1 to the Construction Management at Risk Contract is approved. The City Clerk-Administrator and the Mayor are authorized to execute said Contract Amendment in the form substantially as the form presented at the meeting.

BE IT FURTHER RESOLVED that the Project Budget is approved. Ortonville Area Health Services Board (OAHS) shall designate an officer or person authorized to make disbursements pursuant to the Budget (OAHS Representative) to fulfill the City’s obligation under the construction contract. No signature other than the authorized OAHS Representative is required on any document related to the Project provided the budget is complied with; and

BE IT FURTHER RESOLVED the OAHS Representative is authorized to execute the NOTICE TO PROCEED to Hasslen Construction Company provided the Early Start Waiver is supplied by the Title Insurance Company for Frandsen Bank & Trust.

BE IT FURTHER RESOLVED that said Mayor, City Clerk, and OAHS Representative(s) are hereby authorized, empowered and delegated to do any and all acts regarding or in their judgment obligated to carry and the foregoing Resolution.

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

Resolution 15-058 passed this 30th day of April 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

ADJOURNMENT:

Hausauer adjourned the meeting at 11:50 A.M.

APPROVE:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator