

**COUNCIL MEETING MINUTES  
LIBRARY MEDIA CENTER  
REGULAR MEETING  
412 2<sup>nd</sup> Street, Ortonville, MN  
Tuesday, September 2, 2014  
5:00 P.M.**

**CALL TO ORDER AND ROLL CALL:**

Mayor Berkner called the Regular Meeting to order at 5:00 P. M. Roll Call was taken with the following present: Hausauer, Sykora, Dorry, Berkner, Hasslen, Reinke. Absent: Thomas. Media: Mike Swenson (Ortonville Independent). Staff present: Char Grossman, Susan Lundell, Tim Scherer, Jason Mork, Andrew Buchholz, David McLaughlin. Also: Brian Hiles, Rick Ash, Kevin Benson, Elsie Perinne.

**AGENDA AMENDMENTS:**

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

**PUBLIC PARTICIPATION AND CORRESPONDENCE:**

Brian Hiles, Ulteig Engineers, presented a Feasibility Report on the proposed Street and Utility Project which includes Improvements to Evergreen Lane, Pomroy Avenue, Dyer Street, and Spring Drive. Options for assessing a portion of the project were discussed. City Attorney David McLaughlin reported he will be adding a provision to the City's contract with Ulteig Engineers for the project that will stipulate maximum engineering fees.

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

**RESOLUTION 14-075  
RESOLUTION RECEIVING FEASIBILITY REPORT AND CALLING HEARING ON  
IMPROVEMENT**

WHEREAS, pursuant to Resolution 14-070 of the Council adopted August 18, 2014, a report has been prepared by Brian Hiles of Ulteig Engineers, Inc. with reference to proposed Improvement No. 2015-1, the improvement of Evergreen Lane, Pomroy Avenue, Dyer Street and Spring Drive, and this report was received by the Council on September 2, 2014, and

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 ORTONVILLE, MINNESOTA:

1. The Council will consider the improvement of such streets and utilities in accordance with the report and the assessment of abutting property 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 \$419,200.00.

2. A Public Hearing shall be held on such proposed improvement on the 6<sup>th</sup> day of October, 2014, in the City Council meeting room in the Library at 5:15 P.M. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

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

Resolution 14-075 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

a. Rick Ash-Kevin Benson-OAHS-Senior Housing  
OAHS Representative Rick Ash asked the Council to accept the lowest bid for the design of the proposed Senior Housing Project.

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

**RESOLUTION 14-076  
RESOLUTION AWARDDING BID FOR DESIGN OF SENIOR AND SKILLED  
NURSING BUILDING PROJECT**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville that upon recommendation of the Ortonville Area Health Services Board the bid for Senior and Skilled Nursing Building design be awarded to Horty Elvig & Associates, Inc.

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

Resolution 14-076 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

**CONSENT AGENDA:**

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

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

- a. \*Approve Minutes Regular Council Meeting-08-18-14
- b. \*Approve \$20,000 Budget Increase-Light Department
- c. \*Approve \$10,000 Budget Increase-Sewer
- d. \*Approve Gambling Permit-Delta Waterfowl-09-19-14-Sioux Historic-Raffle

**PUBLIC HEARINGS:**

None.

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

- a. Street-Utility Committee Minutes-08-13-14

A motion was made by Reinke and seconded by Hausauer and passed unanimously to accept the Street-Utility Committee Minutes of 08-13-14.

- b. Planning Commission Minutes-08-18-14

A motion was made by Hausauer and seconded by Reinke and passed unanimously to accept the Planning Commission minutes of 08-18-14.

- 1. Approve 1<sup>st</sup> Reading-Ordinance 14-04 Sale of Property to Kevin Backstrand

Discussion was held regarding the advisability of selling polluted land to Kevin Backstrand as the City would lose control of future projects that may disturb the soils.

A motion was made by Hausauer and seconded by Hasslen and passed unanimously to approve the first reading of Ordinance 14-04 Authorizing Sale of Certain Real Estate Owned by the City of Ortonville.

- 2. Approve Increasing P & Z Budget-\$10,000-Zoning Assistance

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

**RESOLUTION 14-077  
RESOLUTION APPROVING 2015 PLANNING & ZONING BUDGET  
INCREASE OF \$10,000**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve a \$10,000 increase in the 2015 Planning & Zoning Budget. These additional funds will be used to pay the Upper Minnesota Valley Regional Development Commission for developing a Zoning Ordinance Update.

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

Resolution 14-077 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

3. Approve Commencing Process for Vacation of Portion of Paul Bunyan Street

A motion was made by Hausauer and seconded by Hasslen and passed unanimously to ask the Kingdom Hall Church to put together a petition of affected landowners asking for the vacation of a portion of Paul Bunyan Street.

c. Park Board Minutes-08-18-14

A motion was made by Hausauer and seconded by Hasslen and passed unanimously to approve the Park Board Minutes of 08-18-14.

d. Budget Committee Minutes-08-20-14

A motion was made by Reinke and seconded by Hausauer and passed unanimously to approve the Budget Committee Minutes of 08-20-14.

1. \*Approve \$20,000 Budget Increase-Light Department (Consent)

2. \*Approve \$10,000 Budget Increase-Sewer (Consent)

e. EDA Minutes-07-07-14; 07-21-14; 08-04-14

A motion was made by Hausauer and seconded by Sykora and passed unanimously to approve the EDA Minutes of 07-07-14.

A motion was made by Hausauer and seconded by Sykora and passed unanimously to approve the EDA Minutes of 07-21-14 and 08-04-14.

f. Police Commission Recommendations

A motion was made by Hasslen and seconded by Reinke and passed unanimously to approve the Police Commission recommendation to hire 3 part-time officers with the possibility of moving one to full-time if the Police Department receives a resignation from a full-time officer.

g. OAHS Healthcare Board-July Minutes

A motion was made by Hausauer and seconded by Reinke and passed unanimously to approve the OAHS Healthcare Board-July Minutes.

OAHS Financials-July Minutes & Financial Overview

A motion was made by Hausauer and seconded by Reinke and passed unanimously to approve the OAHS Healthcare Board-July Minutes OAHS Financials-July Minutes & Financial Overview Minutes of 08-18-14.

**STAFF REPORTS:**

Police Chief Jason Mork stated the new police pickup has arrived and invited the Council to inspect the new vehicle.

**NEW BUSINESS:**

a. \*Approve Gambling Permit-Delta Waterfowl-09-19-14-Sioux Historic-Raffle (Consent)

b. Big Stone Lake Area Chamber-Porta Potty Rental

Discussion was held regarding the Big Stone Lake Area Chamber’s request for reimbursement of \$950.00 from the City for porta potty rental expenses for the Cornfest. The consensus was the Chamber should ask the City to budget for expenses the year before the event rather than presenting a bill after the fact.

A motion was made by Berkner and seconded by Reinke to pay Big Stone Lake Area Chamber \$950.00 for porta potty rental expenses for the Cornfest. Aye: None. Nay: Hausauer, Sykora, Berkner, Hasslen, Reinke. Abstain: Dorry. Motion died.

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

**RESOLUTION 14-078  
RESOLUTION APPROVING PAYING CHAMBER FOR EXPENSES FOR  
CORNFEST-\$475.00**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to pay the Big Stone Lake Area Chamber \$475.00 for porta potty rental for the Cornfest.

Upon roll call vote the following voted Aye: Hausauer, Sykora, Dorry, Berkner, Hasslen and the following voted Nay: Reinke.

Resolution 14-078 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

- c. Resolution Approving Proposed 2014 Tax Levy Collectible in 2015-Setting Meeting Place & Time for Discussion of Proposed Budget & Levy

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

**RESOLUTION 14-079**  
**A RESOLUTION APPROVING THE PROPOSED 2014 TAX LEVY,**  
**COLLECTIBLE IN 2015**

BE IT RESOLVED by the Council of the City of Ortonville, County of Big Stone, Minnesota, that the following sums of money are proposed to be levied for the current year, collectible in 2015, upon the taxable property in the City of Ortonville, for the following purposes:

General Fund:	\$579,100
Library:	<u>\$ 80,052</u>
Total Levy:	\$659,152

BE IT FURTHER RESOLVED by the Ortonville City Council that a meeting will be held on Monday, December 1, 2014 at 6:00 P.M. in the Library Media Center located at 412 2<sup>nd</sup> Street NW at which time the budget and levy will be discussed and public input allowed.

The City Clerk-Administrator is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Big Stone County, Minnesota.

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

Resolution 14-079 passed this 2<sup>nd</sup> day of September, 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

d. Resolution Approving Proposed 2015 Budget-\$2,458,907

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

**RESOLUTION 14-080  
RESOLUTION APPROVING THE PROPOSED 2015 BUDGET**

WHEREAS, the Property Tax Law requires local governments to adopt and certify to the County Auditor a Proposed Budget by September 15th; and

WHEREAS, the 2015 Proposed City budget, consisting of \$2,458,907.00 in revenues and \$2,458,907.00 in expenditures, is adopted under the provisions of the Property Tax Law; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ortonville that the City Council does hereby approve the Proposed 2015 Budget as filed in the office of the City Clerk-Administrator.

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

Resolution 14-080 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

e. Resolution Approving Purchase-Light Department Pickup

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

**RESOLUTION 14-081  
RESOLUTION APPROVING PURCHASE OF LIGHT DEPARTMENT PICKUP-  
\$22,676.43**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to purchase a GMC Pickup for the Light Department from Nelson Auto Center with trade at a cost of \$22,676.43.

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

Resolution 14-081 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

f. Resolution Approving 1-Year MMUA Safety Management Program Contract-\$7,700

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

**RESOLUTION 14-082  
RESOLUTION ACCEPTING THE AMENDMENT TO SERVICES  
AGREEMENT WITH MMUA FOR THE SAFETY COMPLIANCE GROUP**

WHEREAS, the Safety Management Program Service Agreement entered into between the Minnesota Municipal Utilities Association and the City of Ortonville, dated September 2, 2014, contract number 59-2015 of the safety compliance group is amended as follows:

Duration from October 1, 2014 until September 30, 2015  
Compensation \$7,700.00

NOW THEREFORE BE IT RESOLVED by the Council that:

1. The Agreement is hereby approved as amended as of October 1, 2014.
2. That the Clerk-Administrator be and is hereby authorized to execute amended Agreement.

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

Resolution 14-082 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator



- g. Resolution Approving Amendment No. 1-Lease No. PS0195-Department of Public Safety-Testing Area

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

**RESOLUTION 14-083**  
**RESOLUTION AUTHORIZING THE MAYOR AND CITY**  
**CLERK/ADMINISTRATOR TO EXECUTE A LEASE: APPROVE STATE OF**  
**MINNESOTA DEPARTMENT OF PUBLIC SAFETY LEASE NO. PS0195 –**  
**MOTORCYCLE SKILL TEST COURSE**

BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Ortonville to Approve Authorizing the Mayor and City Clerk/Administrator to Execute a Lease for a period of 5 years commencing October 1, 2014 and continuing through September 30, 2019 for an area of Maple Avenue approximately 30' x 70' in an area mutually agreed to between LESSEE and LESSOR: Approve State of Minnesota Department of Public Safety Lease No. PS0195 Motorcycle Skill Test Course.

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

Resolution 14-083 passed this 2<sup>nd</sup> day of September 2014.

APPROVE:

ATTEST:

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 Steve Berkner  
 Mayor

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 Charleen Grossman  
 Clerk-Administrator

- h. Resolution Approving Agreement-2015 MN Energy Assistance Program

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

**RESOLUTION 14-084**  
**RESOLUTION APPROVING MINNESOTA ENERGY ASSISTANCE PROGRAM**  
**VENDOR AGREEMENT**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville that the Minnesota Energy Assistance Program Vendor Agreement between the Prairie Five Community Action Council, Inc. and the City of Ortonville is approved and that Mayor and City Clerk/Administrator are hereby authorized to execute necessary documents to carry out the intent of this resolution.

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

Resolution 14-084 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

**UNFINISHED BUSINESS:**

a. Andrew Buchholz- Golf Course Superintendent-Foot Golf

A discussion was held regarding the development of Foot or Soccer Golf at the Ortonville Golf Course.

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

**RESOLUTION 14-085  
RESOLUTION APPROVING FOOT GOLF AT THE GOLF COURSE AND  
AUTHORIZING GOLF BOARD TO SET FEES**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to develop Foot Golf at the Golf Course and authorize the Golf Board to set appropriate fees.

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

Resolution 14-085 passed this 2<sup>nd</sup> day of September 2014.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

**CONSIDERATION OF BILLS:**

A motion was made by Dorry and seconded by Hasslen and passed to approve the bills as presented with Berkner abstaining.

City Attorney David McLaughlin reported on progress being made in dealing with dilapidated housing.

**NEW ACTIONS:**

None.

**EXECUTIVE SESSION:**

None.

**ADJOURNMENT:**

Sykora moved to adjourn at 7:10 P. M.

APPROVE:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk Administrator