

**COUNCIL MEETING MINUTES
LIBRARY MEDIA CENTER
REGULAR MEETING
412 2nd Street, Ortonville, MN
Monday, December 21, 2015
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, Dorry, Berkner, Hasslen, Reinke. Absent: Sykora, Thomas. Staff present: Charleen Grossman, Susan Lundell, Jason Mork. Media: None. Also: Kevin Benson, Dave Rogers, Becky Parker.

AGENDA AMENDMENTS:

ADD: 9.a. Street Utility Minutes-12-09-15

11.a. Change to a Resolution

11.e. Resolution Approving Security Agreement-Pulled from Agenda

11.f. Resolution Extending Golf Club House Contract-Adam Ellard

A motion was made by Reinke and seconded by Hasslen 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-12-07-15

b. *Approve Minutes Workshop Meeting-12-16-15

A motion was made by Hausauer and seconded by Dorry 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. Street-Utility Minutes-12-09-15

A motion was made by Dorry and seconded by Hausauer and passed unanimously to accept the Street-Utility minutes of 12-09-15.

STAFF REPORTS:

Clerk-Administrator Char Grossman reported on the progress being made in preparing the ice skating rink for winter. She also reminded Council members of the Public Hearing/Special Meeting on Monday, December 28 at 9:00 A.M. in the Armory meeting room.

NEW BUSINESS:

- a. City Attorney Preparation of Letter to Big Stone City-Water Contract

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

RESOLUTION 15-129

RESOLUTION AUTHORIZING CITY ATTORNEY TO NOTIFY BIG STONE CITY OF TERMINATION OF ORTONVILLE WATER PLANT, PROJECT OWNER, OPERATION AND MAINTENANCE AGREEMENT ON JANUARY 1, 2017

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to authorize the City Attorney to provide notice to Big Stone City, South Dakota of the intent of the City of Ortonville to terminate the Ortonville Water Plant, Project Owner, Operation and Maintenance Agreement as provided by Article 3.1 of the Agreement between the City of Ortonville and Big Stone City, South Dakota effective January 1, 2017.

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

Resolution 15-129 passed this 21st day of December 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

- b. Resolution Approving Master Subscriber Agreement-MN Court Data Services for Governmental Agencies

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

RESOLUTION 15-130

RESOLUTION APPROVING MASTER SUBSCRIBER AGREEMENT FOR MINNESOTA COURT DATA SERVICES FOR GOVERNMENTAL AGENCIES

WHEREAS, the City of Ortonville, on behalf of its Prosecuting Attorney for the City of Ortonville, desires to enter into a Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies with the State of Minnesota, Office of State Court Administration, to use systems and tools available over the State’s criminal justice data communications network and State Court System for which the City is eligible; and

WHEREAS, The Agreement, and its amendments thereto, provide the City with the efficient performance of its governmental duties as required or authorized by law or court rule in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State or local court or agency, or before any self-regulatory body.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ortonville, State of Minnesota, as follows:

1. That the Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies by and between the State of Minnesota, Office of State Court Administration, and the City of Ortonville, on behalf of its Prosecuting Attorney for the City of Ortonville, is hereby approved. A copy of the Agreement is attached and made a part of this Resolution.

2. That William J. Watson, Prosecuting Attorney for the City of Ortonville, or his successor, is designated the Authorized Representative for the City Attorney’s Office. The Authorized Representative is authorized to sign the Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies, and any amendment or agreement that may be required by the State of Minnesota to maintain the City’s connection to the systems and tools offered by the State.

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

Resolution 15-130 passed this 21st day of December 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

b.1. Resolution Approving Appointment of William J. Watson as Ortonville Prosecuting Attorney

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

**RESOLUTION 15-131
RESOLUTION APPOINTING WILLIAM J. WATSON AS ORTONVILLE
PROSECUTING ATTORNEY**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to appoint William J. Watson as the Ortonville Prosecuting Attorney.

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

Resolution 15-131 passed this 21st day of December, 2015.

APPROVED:

ATTEST:

Mayor
Steve Berkner

Clerk-Administrator
Charleen Grossman

c. Resolution Executing Grant Agreement for Airport Improvement-\$23,960.00 (City Share)

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

**RESOLUTION 15-132
RESOLUTION APPROVING AUTHORIZATION TO EXECUTE MINNESOTA
DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT
IMPROVEMENT EXCLUDING LAND ACQUISITION**

It is resolved by the City of Ortonville as follows:

1. That the State of Minnesota Agreement No. 1002107,
“Grant Agreement for Airport Improvement Excluding Land Acquisition,” for State Project No. A0601-32 at the Ortonville Municipal Airport is accepted.
2. That the Mayor and Clerk Administrator are authorized to execute this Agreement and any amendments on behalf of the City of Ortonville.

Upon roll call vote the following voted Aye: and the following voted Nay: None.

Resolution 15-132 passed this 21st day of December 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

d. Resolution of Support-Increasing Local Government Aids

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

**RESOLUTION 15-133
RESOLUTION IN SUPPORT OF INCREASING LOCAL GOVERNMENT AID IN THE 2016
LEGISLATIVE SESSION**

WHEREAS, Local Government Aid (LGA) is a critical need for our city and

WHEREAS, LGA provides funding to restrain property taxes on homeowners and businesses and

WHEREAS, LGA provides for basic services such as public safety, infrastructure and fire protection and

WHEREAS, the legislature and state agencies have imposed unfunded mandates upon local cities, including increased pension requirements, expensive wastewater infrastructure costs, among other mandates and

WHEREAS, an LGA increase would help the City of Ortonville do the following: fund needed infrastructure replacement projects, maintain staffing levels, provide economic development tools to help attract businesses to our vacant downtown buildings, stem our need to increase our levies which would provide property tax relief to our many low income residents and fund the need for replacing antiquated equipment and vehicles.

WHEREAS, No Omnibus Tax Bill was passed by the 2015 legislature, thus freezing the LGA appropriation;

THEREFORE, BE IT RESOLVED that the City of Ortonville supports an increase in the base appropriation for Local Government Aid of \$45.5 million effective for aid payable in 2017 and urges adoption of this proposal by the House and Senate.

BI IT FURTHER RESOLVED that a copy of this Resolution be sent to the following: Senator Torrey Westrom, Representative Jeff Backer, Speaker of the House Rep. Kurt Daudt, Senate Majority Leader Sen. Tom Bakk, House Tax Chair Rep. Greg Davids, Senate Tax Chair Sen. Rod Skoe, and Governor Mark Dayton.

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

Resolution 15-133 passed this 21st day of December, 2015.

APPROVED:

ATTEST:

Mayor
Steve Berkner

Clerk-Administrator
Charleen Grossman

e. Resolution Approving Public Deposits Security Agreement-Minnwest Bank
Pulled from Agenda

f. Extension of Golf Club House Lease-Adam Ellard

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

RESOLUTION 15-134
RESOLUTION APPROVING 2015 LEASE AGREEMENT WITH ADAM ELLARD FOR
THE GOLF COURSE CLUBHOUSE

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve the 2016 Lease Agreement with Adam Ellard for the Golf Course Clubhouse contingent upon approval of the City Attorney.

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

Resolution 15-134 passed this 21st day of December 2015.

APPROVED:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

UNFINISHED BUSINESS:

- a. Resolution Approving 2nd Reading and Adoption of Ordinance 15-07-Re-Zoning

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

**RESOLUTION 15-135
 RESOLUTION APPROVING SECOND READING AND ADOPTION OF ORDINANCE
 15-07 AN ORDINANCE REZONING CERTAIN PROPERTY IN THE CITY OF
 ORTONVILLE FROM I-1 TO B-2**

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Ortonville that upon recommendation of the Planning Commission, the City Council ordains that certain property, as follows, in the City of Ortonville, be rezoned from I-1 (Limited Industrial) to B-2 (General Business): (Ex Triangular Piece) Lots 20, 21, & 22, all in Block 8, Bundock’s Addition, City of Ortonville.

Resolution 15-135 passed this 21st day of December, 2015.

APPROVE:

ATTEST:

 Steve Berkner
 Mayor

 Charleen Grossman
 Clerk-Administrator

- b. Ambulance Contract – Grant-Roberts Ambulance
 No action taken. The City Attorney is compiling information.

- c. EDA 2016 Funding

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

**RESOLUTION 15-136
 RESOLUTION APPROVING 2016 FUNDING FOR THE ORTONVILLE ECONOMIC
 DEVELOPMENT AUTHORITY-\$37,500.00**

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Ortonville to fund the Ortonville Economic Development Authority at the level of \$37,500.00 for budget year 2016.

Resolution 15-136 passed this 21st day of December, 2015.

APPROVE:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator

CONSIDERATION OF BILLS:

A motion was made by Hausauer and seconded by Dorry and passed unanimously to approve the bills as presented. Abstain: Berkner.

NEW ACTIONS:

None.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

Berkner adjourned the meeting at 5:19 P.M.

APPROVE:

ATTEST:

Steve Berkner
Mayor

Charleen Grossman
Clerk-Administrator