

**COUNCIL MEETING MINUTES
LIBRARY MEDIA CENTER
REGULAR MEETING
412 2nd Street, Ortonville, MN
Tuesday, February 16, 2016
5:00 P.M.**

CALL TO ORDER AND ROLL CALL:

Mayor Pro Tem Mike Dorry called the Regular Meeting to order at 5:00 P. M. Roll Call was taken with the following present: Hausauer, Sykora, Dorry, Hasslen, Reinke. Absent: Berkner. Media: Mike Swenson (Ortonville Independent). Staff present: Char Grossman, Susan Lundell, Jason Mork, Kent Novak, Sam Berger, Andrew Buchholz. Also: Scott Simonitch, Tim Swanson, Elsie Perrine.

A MOMENT OF SILENCE WAS HELD IN HONOR OF COUNCIL MEMBER RON THOMAS WHO PASSED AWAY ON SUNDAY, FEBRUARY 7

AGENDA AMENDMENTS:

ADD: 10.i. Committee List

11.d. Resolution Approving Master Subscriber Agreement-Prosecuting Attorney

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

PUBLIC PARTICIPATION AND CORRESPONDENCE:

a. City resident Scott Simonitch asked that alleys be vacated near the private swimming pool in the Connolly Addition.

A motion was made by Reinke and seconded by Hasslen and passed unanimously to refer the request for the vacation of alleys in the Connolly Addition to Planning and Zoning.

CONSENT AGENDA:

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

- a. *Approve Minutes Regular Council Meeting-02-01-16
- b. *Approve Minutes Continued Regular Council Meeting-02-04-16
- c. *Approve Airport Hangar Lease-Bryan DeLage
- d. *Approve Parade Permit-Child Abuse Vigil-HWY 7-April 25
- e. *Approve Resolution Joint Powers Agreement-On Behalf of City Attorney and Police Department

Reinke moved and Hausauer seconded that the following Resolution be adopted

RESOLUTION 16-14
RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS
AGREEMENTS WITH THE CITY OF ORTONVILLE ON BEHALF OF ITS CITY
ATTORNEY AND POLICE DEPARTMENT

WHEREAS, the City of Ortonville on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Ortonville on behalf of its Prosecuting Attorney and Police Department, are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.

2. That the Police Chief, Jason Mork, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent 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.

To assist the Authorized Representative with the administration of the agreement, the Police Chief is appointed as the Authorized Representative's designee.

3. That the Police Chief, Jason Mork, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent 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.

To assist the Authorized Representative with the administration of the agreement, the Police Chief is appointed as the Authorized Representative's designee.

4. That Steve Berkner, the Mayor for the City of Ortonville, and Charleen Grossman, the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

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

Resolution 16-14 passed this 16th day of February, 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

- f. *Approval of Gambling Permit-BS Health Care-Sioux Historic-April 23-Raffle
- g. *Approval of Gambling Permit-BS Health Care-Golf Course-September 10-Raffle

A motion was made by Reinke and seconded by Hausauer 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. Planning Commission Minutes-02-02-16

A motion was made by Reinke and seconded by Hausauer and passed unanimously to approve the Planning Commission minutes of 02-02-16.

- b. Street-Utility Committee Minutes-02-10-16

A motion was made by Hausauer and seconded by Reinke and passed unanimously to approve the Street-Utility Committee minutes of 02-10-16.

- 1. Approve Policy for Meter Installation-Solar Panels

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

**RESOLUTION 16-15
RESOLUTION APPROVING POLICY FOR CHARGING METER COSTS FOR
SOLAR PANEL INSTALLATION PROJECTS**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve a Policy whereby the City charges for the meters installed for solar panel installation projects as follows: Credit will be given for the typical meter installation cost, as determined by the electric department, and the solar panel owner will pay the difference.

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

Resolution 16-15 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

2. Approve Resolution-Construction-State-Aid Hwy 35

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

**RESOLUTION 16-16
RESOLUTION APPROVING IMPROVEMENT OF COUNTY STATE-AID
HIGHWAY NO 35 WITHIN THE CITY LIMITS AS A STATE AID PROJECT**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve plans for Project No. SAP 006-635-006 showing proposed alignment, profile grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No 35 within the limits of the City of Ortonville as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED that said plans be in all things approved.

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

Resolution 16-16 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

3. Authorize Sewer Collection Charge-Storm Sewer Charge on Independent Living Units Fairway View & New Senior Housing Complex

A motion was made by Hausauer and seconded by Sykora and passed to charge each Fairway View Independent Living Unit and each of the new Senior Housing Project Unit a \$6.95 sewer collection charge and a \$3.00 storm sewer charge as per City Policy. Nay: Dorry.

4. Resolution Approving Re-Lining Manholes-Up to \$27,000

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

**RESOLUTION 16-17
RESOLUTION APPROVING RE-LINING MANHOLES-UP TO \$27,000**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to authorize the Public Works Department to spend up to \$27,000 to re-line manholes.

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

Resolution 16-17 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

5. Resolution Approving Purchase Electric Dept. Vehicle-\$27,257.61 Plus Rust Proofing

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

**RESOLUTION 16-18
RESOLUTION APPROVING PURCHASE OF ELECTRIC DEPARTMENT
VEHICLE-\$27,257.61 PLUS RUST PROOFING**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to purchase a new Ford vehicle from Nelson’s Ford of Fargo, ND at the State bid price of \$27,257.61 plus rust proofing costs.

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

Resolution 16-18 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

6. Resolution Approving Purchase Back-Up Generators-\$115,000

A motion was made by Reinke and seconded by Hasslen and passed unanimously to send the purchase of back-up generators back to the Street-Utility Committee for further review.

7. Options-MPCA Fine

The Minnesota Pollution Control Agency fine for a chlorine leak was negotiated down to \$9,784.00 or an option to that was given where the fine would be reduced to \$2,446.00 if the Ortonville Fire Department agreed to safety training and purchase of safety equipment totaling \$9,173.00.

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

RESOLUTION 16-19
RESOLUTION APPROVING MINNESOTA POLLUTION CONTROL AGENCY
FINE AND AGREEMENT

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to enter into an agreement with the Minnesota Pollution Control Agency for the resolution of a fine for a chlorine leak in the amount of \$9,784.00. The City agrees to pay a reduced fine of \$2,446.00 and also agrees to provide safety training and/or safety equipment to the Fire Department totaling \$9,173.00.

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

Resolution 16-19 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

c. OAHS Minutes-12-22-15

A motion was made by Hausauer and seconded by Hasslen and passed unanimously to accept the OAHS Minutes of 12-22-15.

STAFF REPORTS:

Clerk-Administrator Char Grossman recommended that City Engineer Bob Schlieman write a letter to the Minnesota Department of Transportation asking what they plan to do with the sidewalks in downtown Ortonville as they are out of compliance with ADA requirements.

A motion was made by Reinke and seconded by Hausauer and passed unanimously to authorize City Engineer Bob Schlieman to write a letter to MNDOT asking them what their plan is for the downtown sidewalks.

NEW BUSINESS:

- a. *Approve Airport Hangar Lease-Bryan DeLage (Consent)
- b. *Approve Parade Permit-Child Abuse Vigil-HWY 7-April 25 (Consent)
- c. *Approve Resolution Joint Powers Agreement-On Behalf of City Attorney and Police Department (Consent)
- d. *Approval of Gambling Permit-BS Health Care-Sioux Historic-April 23-Raffle (Consent)
- e. *Approval of Gambling Permit-BS Health Care-Golf Course-September 10-Raffle (Consent)
- f. Resolution Approving Airport Maintenance and Operation Grant Contract Number 1001032

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

**RESOLUTION 16-20
RESOLUTION APPROVING AUTHORIZATION TO EXECUTE MINNESOTA
DEPARTMENT OF TRANSPORTATION AIRPORT MAINTENANCE AND
OPERATION GRANT CONTRACT**

It is resolved by the City of Ortonville as follows:

- 1. That the State of Minnesota Agreement No. 1001032, "Airport Maintenance and Operation Grant Contract," at the Ortonville Municipal Airport is accepted.
- 2. That the Mayor and Clerk-Administrator are authorized to execute this Contract and any amendments on behalf of the City of Ortonville.

Upon Roll Call vote the following voted Aye: Hausauer, Sykora, Dorry, Hasslen, Reinke. Nay: None.

Resolution 16-20 passed this 16th day of February 2016.

APPROVE:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

g. Accept Resignation-Kim Danielson-Chief Secretary/Records Clerk-Police Department
A motion was made by Reinke and seconded by Hausauer and passed unanimously to accept the resignation of Kim Danielson as Chief Secretary/Records Clerk-Police Department effective immediately.

Police Chief Jason Mork asked the Council to hire the Big Stone County Sheriff’s Department to provide 1 hour/day of secretarial services to the City as a cost of \$30/hr. The County will send a contract to the City with the stated terms. No action taken.

h. Civil Service Commission-Ordinance Change (H) from 6 months to 1 year.

A motion was made by Reinke and seconded by Hausauer and passed unanimously to approve the 1st reading of Ordinance 16-01 An Ordinance Amending Chapter 31.11 Civil Service Commission (H). No officer or employee after one (1) year of continuous employment shall be removed or discharged except for cause.

i. Committee List

A motion was made by Hasslen and seconded by Reinke and passed unanimously to appoint Gene Hausauer to the Ortonville Area Health Care Board.

The complete Committee List will be presented at the next Council meeting for approval.

UNFINISHED BUSINESS:

a. Water Contract-Big Stone City

No action taken. Big Stone City is considering the terms of the contract.

b. Ambulance Agreement

A motion was made by Hausauer and seconded by Reinke and passed unanimously to approve the Ambulance Agreement by and between Grant Roberts Ambulance, Inc. and Ortonville Area Health Services contingent upon City Attorney approval.

c. Hiring David Lee III & Cody Schyma as Police Officers at Grade 6, Step 1

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

**RESOLUTION 16-21
RESOLUTION HIRING DAVID LEE III AND CODY SCHYMA AS FULL-TIME
POLICE OFFICERS**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to hire David Lee III and Cody Schyma as full-time Police Officers at Grade 6, Step 1 (\$18.496) contingent upon them completing a one-year probationary period.

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

Resolution 16-21 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

d. Resolution Approving Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies

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

RESOLUTION 16-22
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 the 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, Sykora, Dorry, Hasslen, Reinke and the following voted Nay: None.

Resolution 16-22 passed this 16th day of February 2016.

APPROVED:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator

CONSIDERATION OF BILLS:

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

NEW ACTIONS:

None.

EXECUTIVE SESSION:

ADJOURNMENT:

A motion was made by Reinke to adjourn at 5:35 P.M.

APPROVE:

ATTEST:

Mike Dorry
Mayor Pro Tem

Charleen Grossman
Clerk-Administrator