

**COUNCIL MEETING MINUTES  
LIBRARY MEDIA CENTER  
REGULAR MEETING  
412 2<sup>nd</sup> Street, Ortonville, MN  
Tuesday, September 6, 2016  
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, Radermacher, Reinke. Absent: None. Staff present: Char Grossman, Susan Lundell, Sam Berger, Kent Novak, Jason Mork. Media: Mike Swenson (Independent). Also: Paul Skinner.

**AGENDA AMENDMENTS:**

**10.c. 90-Day Midco Franchise Extension**

**10.d. Temporary Liquor License-VFW**

**10.e. Resignation-Isaiah Longnecker-Golf Board**

**10.f. Rescind Ordinance 16-07-Ordinance Selling City Property**

**10.g. 1<sup>st</sup> Reading Ordinance Selling Land to Kevin Backstrand**

**10.h. Waste Management Parking Lot**

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

**PUBLIC PARTICIPATION AND CORRESPONDENCE:**

Paul Skinner asked if a building permit application for improvements to his property located at 428 2<sup>nd</sup> Street SE would meet the requirements for a notice for removal or improvement sent out by the City Attorney's office.

A motion was made by Hasslen and seconded by Hausauer and passed unanimously to instruct the City Attorney, the Building Official and the Health Officer to review the building permit application as submitted by Paul Skinner for 428 2<sup>nd</sup> Street SE and to determine whether or not the proposed improvement would meet the requirements for a notice for removal or improvement as sent out by the City Attorney's office.

A motion was made by Hasslen and seconded by Hausauer and passed to instruct the City Attorney, the Building Official and the Health Officer to review the improvements made by Paul Skinner at 253 3<sup>rd</sup> Street SE and to determine whether or not the improvement would meet the requirements for a notice for improvement as sent out by the City Attorney's office. Nay: Dorry.

A discussion was held regarding a mowing bill Paul Skinner received from the City for overgrown grass on his property. Clerk-Administrator Char Grossman stated she would bring the bill to the next Council meeting for review.

**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-08-15-16

A motion was made by Dorry and seconded by Reinke 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 & Zoning Minutes-08-18-16

A motion was made by Hausauer and seconded by Sykora and passed unanimously to approve the Planning & Zoning minutes of 08-18-16.

1. Recommendation to Approve Variance-John & Linda Sovell

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

**RESOLUTION 16-87  
RESOLUTION OF THE CITY OF ORTONVILLE  
APPROVING THE VARIANCE REQUEST OF JOHN AND LINDA SOVELL**

WHEREAS, John and Linda Sovell (the “Applicants”) have made application for a variance under Section 150.139 of the Zoning Ordinance;

WHEREAS, Section 150.022 R-1, Low Density Residential District of the Zoning Code does not allow for an expansion of a pole building from 30’ x 56’ to 58’ x 56’; and

WHEREAS, the application requests that the Applicants be granted a variance from Section 150.022 R-1, Low Density Residential of the Zoning Code to allow the Applicant to expand a pole building from 30’ x 56’ to 58’ x 56’; and

WHEREAS, the subject property is legally described as:

**300’ W of Estly 544.1’ of Outlot 27, City of Ortonville, Big Stone County, Minnesota; and**

WHEREAS, all required public notices and notices to landowners were properly published and sent; and

WHEREAS, the Board of Adjustment and Appeals conducted a public hearing on the variance application on August 18, 2016;

WHEREAS, Deliberation was held regarding the variance request. After referring to M.S. 462.357, Subd. 6 (1) and the City of Ortonville’s Comprehensive Plan the Planning Commission members concluded the applicant demonstrated a hardship due to the size of the lot and being adjacent to A-O – Agricultural – Open Space.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORTONVILLE, MINNESOTA, as follows:**

1. The Findings of Fact of the Ortonville Board of Adjustment and Appeals dated August 18, 2016, regarding this matter are hereby fully adopted by the City Council and incorporated herein by reference.
2. The variance request of John and Linda Sovell is hereby granted.

Upon roll call vote the following voted Aye: Berkner, Powell, Reinke, Radermacher and the following voted Nay: None.

Resolution 16-87 passed this 9<sup>th</sup> day of September, 2016.

APPROVED:

ATTEST:

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 Steve Berkner  
 Mayor

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 Charleen Grossman  
 Clerk-Administrator

b. Park Board Minutes-08-29-16

A motion was made by Hasslen and seconded by Radermacher and passed unanimously to approve the Park Board Minutes of 08-29-16.

**STAFF REPORTS:**

- a. Clerk-Administrator Char Grossman reported that the City has not received quotes from sidewalk contractors for sidewalk installation. The contractors are too busy at this time of year. Some minor repairs will be done in the most needed places.  
 Mike Swenson reported on funds being raised for the golf path. A tournament raised \$6,000.00 which will be matched with funds from the Men’s Club.

**NEW BUSINESS:**

- a. Resolution Approving MMUA 2016-17 Safety Management Program-\$8,400.00

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

**RESOLUTION 16-88**  
**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 July 14, 2016, contract number 59-2017 of the safety compliance group is amended as follows:

Duration from October 1, 2016 until September 30, 2017  
 Compensation \$8,400.00

NOW THEREFORE BE IT RESOLVED by the Council that:

- 1. The Agreement is hereby approved as amended as of September 6, 2016.
- 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, Radermacher, Reinke and the following voted Nay: None.

Resolution 16-88 passed this 6<sup>th</sup> day of September 2016.

APPROVED:

ATTEST:

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 Steve Berkner  
 Mayor

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 Charleen Grossman  
 Clerk-Administrator

- b. Resolution Approving Internet Service Agreement for Water Treatment Plant-\$150.00 One-Time Fee & \$75.00 Monthly Charge  
 Tabled for City Attorney review.

- c. 90-Day Midco Franchise Agreement Extension  
 Tabled for City Attorney review.

d. Temporary Liquor License-VFW

A motion was made by Hausauer and seconded by Radermacher and passed unanimously to issue a temporary liquor license to the VFW Big Stone Lake Post 3964 for October 8, 2016 at the Ortonville Armory contingent upon all required paperwork be provided to the City.

e. Accept Resignation of Isaiah Longnecker-Golf Board

A motion was made by Reinke and seconded by Hausauer and passed unanimously to accept the resignation with regret from Isaiah Longnecker from the Golf Board.

f. Rescind Resolution 16-86 Approving 2<sup>nd</sup> Reading and Adoption of An Ordinance Authorizing the Sale of Real Property Owned by the City of Ortonville

A motion was made by Hausauer and seconded by Reinke and passed unanimously to rescind Resolution 16-86 A Resolution approving 2<sup>nd</sup> Reading and Adoption of Ordinance 16-07.

g. Approve 1<sup>st</sup> Reading of Ordinance 16-08 An Ordinance Authorizing the Sale of Real Property Owned by the City of Ortonville

A motion was made by Reinke and seconded by Hausauer and passed unanimously to approve the 1<sup>st</sup> reading of Ordinance 16-08 An Ordinance Selling Certain Real Estate Owned by the City of Ortonville, Lot A, Outlot 115, City of Ortonville.

**UNFINISHED BUSINESS:**

a. None.

**CONSIDERATION OF BILLS:**

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

**NEW ACTIONS:**

None.

**EXECUTIVE SESSION:**

None.

**ADJOURNMENT:**

Mayor Berkner adjourned the meeting at 5:40 P.M.

APPROVE:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator