

**COUNCIL MEETING MINUTES  
LIBRARY MEDIA CENTER  
REGULAR MEETING  
412 2<sup>nd</sup> Street, Ortonville, MN  
Monday, December 19, 2016  
5:00 P.M.**

**CALL TO ORDER AND ROLL CALL:**

Mayor Steve Berkner called the Regular Meeting to order at 5:00 P. M. Roll Call was taken with the following present: Hausauer, Berkner, Radermacher, Reinke, Hasslen. Absent: Dorry, Sykora. Staff present: Char Grossman, Susan Lundell, Kent Novak, Sam Berger, Jason Mork. Other: Scott Simmons, Nick Anderson, Ashley Berger, Dustin Roggenbuck, Jake Dorry, Nikki Evje, Rhonda Thielke, Bob Schlieman.

**AGENDA AMENDMENTS:**

**ADD: 4.a. Nick Anderson-Minnesota River Headwaters Trail**

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

**PUBLIC PARTICIPATION AND CORRESPONDENCE:**

a. Nick Anderson-MN River Headwaters Trail

Big Stone County Engineer Nick Anderson and Wildlife Refuge Manager Scott Simmons asked the Council to consider entering into a Memorandum of Understanding regarding the terms of cooperation between the U. S. Fish and Wildlife Service, Big Stone County and the City of Ortonville for the portion of the Minnesota River Headwaters Trail that will be constructed and maintained within the Big Stone National Wildlife Refuge. The Council will review the document and act on it at a future meeting.

b. Bob Schlieman-Apex Engineering-Special Assessments

Bob Schlieman of Apex Engineering reviewed with the Council the proposed special assessments for the utility, street, and drainage improvements in the area near the water tower.

1. Resolution Adopting Assessment-Utility, Street and Drainage Improvements-Area Near Water Tower

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

**RESOLUTION 16-120  
ADOPTING ASSESSMENT UTILITY, STREET, AND DRAINAGE IMPROVEMENTS  
– AREA NEAR WATER TOWER-CITY OF ORTONVILLE, MINNESOTA**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of areas west, north, and east of the City's water tower including Roy Street from a point approximately

140 feet north of Crestview Avenue to Mark Drive, Mark Drive from Roy Street to Center Street, and Summerset Street from Mark Drive to Lundell Avenue by making improvements to the sanitary sewer collection system, water distribution system, storm sewer collection system, street, curb and gutter, and sidewalk and has amended such proposed assessment as it deems just.

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

1. Such proposed assessment as amended, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment to improved or developed properties shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2018, and shall bear interest at the rate of 3.00 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2017. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The assessment to undeveloped properties shall be deferred in whole until a change in ownership of such properties takes place or such properties are improved by the construction of substantial buildings. Payment of deferred assessments shall be made in full to the city treasurer upon becoming due. No interest shall be added to deferred assessments.
4. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the city treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the city treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.
5. The clerk shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

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

Resolution 16-120 passed this 19<sup>th</sup> day of December 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Berkner  
Mayor

\_\_\_\_\_  
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. \*Approve Minutes Regular Council Meeting-12-05-16
- b. \*Resolution Approving Collection Agency/Unpaid Utility Bills-\$5,242.66 (New Business)
- c. \*Resolution Approving Levied Accounts/Unpaid Mdse. & Labor Bills - \$2,028.60 (NB)
- d. \*Resolution Approving Levied Accounts/Unpaid Utility Bills- \$5,369.55 (NB)

A motion was made by Radermacher 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 Commission Minutes-12-06-16

A motion was made by Hausauer and seconded by Radermacher and passed unanimously to approve the Planning Commission minutes of 12-06-16.

- 1. Approve 1<sup>st</sup> Reading-Ordinance 17-01-Add Medical-Dental Clinics as Permitted Uses in B- 1-Central Business

A motion was made by Reinke and seconded by Hausauer and passed unanimously to approve the 1<sup>st</sup> Reading-Ordinance 17-01-Add Medical-Dental Clinics as Permitted Uses in B- 1-Central Business.

- 1. Approve 1<sup>st</sup> Reading-Ordinance 17-02-Sale of Real Property-Evje

A motion was made by Hausauer and seconded by Reinke and passed unanimously to approve the 1<sup>st</sup> Reading-Ordinance 17-02-Sale of Real Property to Kris and Nikki Evje for \$2,000.00 provided the buyer complete a survey of their property, the property owners assume all costs related to the sale transaction and understand that they may be responsible for future special assessments along Mark Drive should improvements be made.

- 2. Consider Petition for Annexation-Portion of Mound Cemetery

A motion was made by Reinke and seconded by Radermacher and passed unanimously to begin the annexation of that portion of Mound Cemetery that lies outside City limits.

b. Street-Utility Committee-12-14-16

A motion was made by Radermacher and seconded by Reinke and passed unanimously to approve the Street-Utility Committee minutes of 12-14-16.

1. Resolution Approving Purchase-LED Street Light Fixtures

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

**RESOLUTION 16-121  
RESOLUTION APPROVING PURCHASE OF LED LIGHTS FOR RETROFIT  
OF DOWNTOWN STREET LIGHTS**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve the purchase of LED lights for retrofitting downtown street lights using budgeted funds from 2016 and 2017.

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

Resolution 16-121 passed this 19<sup>th</sup> day of December 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

2. Approve Creation of Downtown Sidewalk Snow Removal Utility

A discussion was held regarding removing snow from downtown sidewalks before snow is removed from the streets. Hausauer asked that the issue be referred back to the Street Committee for further review.

c. EDA Minutes-11-21-16

A motion was made by Hausauer and seconded by Radermacher and passed unanimously to approve EDA minutes of 11-21-16.

d. EDA Minutes-11-29-16

A motion was made by Radermacher and seconded by Hasslen and passed unanimously to approve EDA minutes of 11-29-16.

**STAFF REPORTS:**

a. Jason Mork-New Vehicle Tear Down & Up Fitting

Police Chief Jason Mork asked the Council to approve quotes for up fitting and lettering the new squad car.

1. Resolution Approving Quote-\$4,299.47-Up fitting

2. Resolution Approving Quote-\$1,095.00-Vinyl Design-Lettering

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

**RESOLUTION 16-122  
RESOLUTION APPROVING UP FITTING AND LETTERING NEW  
SQUAD CAR**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve a quote from Emergency Automotive Technologies, Inc. in the amount of \$4,299.47 for up fitting the new squad car and a quote from Pro Image Partners in the amount of \$1,095.00 for lettering the new squad car.

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

Resolution 16-122 passed this 19<sup>th</sup> day of December 2016.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

b. Char Grossman reported on the dividend received from the League of Minnesota Cities Insurance Trust.

**NEW BUSINESS:**

a. Resolution Approving Clifton Larson Allen Audit Agreement

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

**RESOLUTION 16-123  
RESOLUTION RETAINING CLIFTON LARSON ALLEN LLP  
FOR 2016 CITY FINANCIAL AUDIT-\$13,950.00**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville that the accounting firm of Clifton Larson Allen LLP is retained to perform the 2016 financial audit for the City of Ortonville in accordance with its engagement letter and that the Mayor and City Clerk/Administrator are hereby authorized to execute necessary documents as amended by the City Attorney to carry out the intent of this resolution. The stated cost of completing the audit is \$13,950.00.

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

Resolution 16-123 passed this 19th day of December 2016.

APPROVED:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

b. \*Resolution Approving Collection Agency/Unpaid Utility Bills-\$5,242.66

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

**RESOLUTION 16-124  
RESOLUTION APPROVING COLLECTION AGENCY/UNPAID UTILITY  
BILLS-\$5,242.66**

BE IT AND IT IS HEREBY RESOLVED that the properties as listed on file in the Office of the Clerk/Administrator be submitted to the Collection Agency for unpaid utility bills in the amount of \$5,242.66.

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

Resolution 16-124 passed this 19<sup>th</sup> day of December 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

c. \*Resolution Approving Levied Accounts/Unpaid Mdse. & Labor Bills - \$2,028.60

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

**RESOLUTION 16-125  
RESOLUTION APPROVING LEVIED ACCOUNTS/UNPAID MERCHANDISE  
AND LABOR BILLS-\$2,028.60**

BE IT AND IT IS HEREBY RESOLVED that the properties as listed on file in the Office of the Clerk/Administrator be levied for unpaid merchandise and labor bills in the amount of \$2,028.60.

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

Resolution 16-125 passed this 19<sup>th</sup> day of December 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

d. \*Resolution Approving Levied Accounts/Unpaid Utility Bills- \$5,369.55

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

**RESOLUTION 16-126**  
**RESOLUTION APPROVING LEVIED ACCOUNTS/UNPAID UTILITY BILLS-**  
**\$5,369.55**

BE IT AND IT IS HEREBY RESOLVED that the properties as listed on file in the Office of the Clerk/Administrator be levied for unpaid utility bills in the amount of \$5,369.55.

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

Resolution 16-126 passed this 19<sup>th</sup> day of December 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator

e. Set Next Meeting Date-Tuesday-January 3

A motion was made by Hausauer and seconded by Radermacher and passed unanimously to set the next regular City Council meeting for Tuesday, January 3, 2017 at 5:00 P.M. in the Library Media Center.

**UNFINISHED BUSINESS:**

None.

**CONSIDERATION OF BILLS:**

A motion was made by Reinke and seconded by Radermacher and passed to approve the bills as presented.

**NEW ACTIONS:**

None.

**EXECUTIVE SESSION:**

None.

**ADJOURNMENT:**

Radermacher moved to adjourn the meeting at 6:02 P.M.

APPROVE:

ATTEST:

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Steve Berkner  
Mayor

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Charleen Grossman  
Clerk-Administrator