

ORTONVILLE CITY COUNCIL MEETING MINUTES
REGULAR MEETING
DIALYSIS BUILDING
435 Eastvold Avenue, Ortonville, MN
Monday, October 15, 2007
7:00 PM

CALL TO ORDER AND ROLL CALL:

Mayor Blair Johnson called the regular meeting of the Ortonville City Council to order at 7:00 PM. Roll call was taken with the following Present: Mayor Blair Johnson, Nick Anderson, Artie Arndt, John Cunningham, and Bob Meyer. Absent: Mike Dorry and Dan Oakes. Staff Present: City Administrator David Lang, Public Works Director Tim Scherer, Administrative Assistant, Susan Lundell, City Attorney Craig Ash, and City Engineer Bob Schlieman. Media present: Mike Swenson (*Ortonville Independent*) and Julie French, (KDIO Radio). Also Present: Planning Commission Chair Scott Simonitch, EDA Board Member Burt Nypen, OAHs Hospital Administrator Rick Ash, Big Stone County Assessor Sandra Vold, Heritage Preservation Commission Chair Craig Randleman, Central Park Restoration Member Marcy Stotesbery, Virgil and LeVon Gerber, Del and Phyllis Silberstein, Randy McEwen, Clyde Weros, Val Henrich, Norm Haukos, Elsie Perrine, Dale Homan, Bruce Montzka, Ryan and Nikole Kehnele, and Eric Burmann.

AGENDA AMENDMENTS/APPROVAL:

8.c. Approve Minutes of October 1st Regular Council Meeting

Motion by Cunningham, second by Meyer to approve the Agenda as amended.

All in favor 5-0. MCU (motion carried unanimously)

CITY ATTORNEY REPORTS & RECOMMENDATIONS:

3.a. Update: Big Stone Lake Weed Removal

City Attorney Craig Ash indicated there was nothing new to report on this item.

3.b. Update: Water Contract with Big Stone City of Ortonville

Attorney Craig Ash stated the Big Stone City Council was also meeting this evening, and may be considering this matter at that time. Ash will follow up with the legal counsel for Big Stone City later this week and will work to set up a joint meeting for city officials from both Councils.

PUBLIC HEARING:

2007 Rita Road Special Assessment Hearing – City Engineer Bob Schlieman of Ulteig Engineers

A Public Hearing was called to order by Mayor Johnson at 7:05 PM. This hearing was scheduled to allow public comment from property owners regarding their proposed water, sewer and street assessments along Rita Road. The initial public hearing for this project was held on April 4, 2005. Schlieman distributed a handout summarizing the Rita Road Improvement Project.

PUBLIC HEARING: (cont.)

Del and Phyllis Silbertstein expressed concern because their large tract of unplatted land was being assessed for four water & sewer laterals installed for future development purposes and they asked the assessments on the unplatted property be deferred.

Virgil and LeVon Gerber stated the construction company cut out 20 feet of their existing apron and driveway for the project. They were assessed \$2,725.06 for the removal and replacement of the 20 feet apron. They asked for a reduction in their assessment as they felt removing and replacing 20 feet was excessive. Engineer Schlieman offered to meet with property owners individually if they had specific concerns. Schlieman stated he would maintain a separate sign-up sheet for these meetings. He noted he will return to the Council Meeting later this evening with any recommended changes to the assessment roll. Mayor Johnson closed the hearing at 7:15 P.M. Schlieman then proceeded to meet with those individuals in another room. Mayor Johnson called the regular meeting to order.

After meeting with Del and Phyllis Silberstein and with Virgil and LeVon Gerber, Engineer Bob Schlieman reported to the City Council the Silbersteins would like the water and sewer assessments deferred since they have no plans to develop the affected property at this time.

Motion by Anderson, seconded by Cunningham, *to defer the water and sewer portion of the assessments for the Rita Road Project in the amount of \$11,682.52 to Del and Phyllis Silberstein for 15 years or until each property is developed. Each lot/hook-up will be assessed individually.*

All in favor 5-0. MCU.

The Council was also asked to reduce the assessment for Virgil and LeVon Gerber from \$2,725.06 to \$540.62 for extra driveway removed and replaced.

Motion by Anderson, second by Cunningham *to reduce special assessments for Rita Road from \$2,725.06 to \$540.62 for Virgil and LeVon Gerber.*

All in favor 5-0. MCU.

Engineer Bob Schlieman was asked to recalculate the special assessment roll after the said changes have been made. The corrected assessment roll will be considered for approval at the next Regular Council Meeting.

CITIZENS TO BE HEARD:

Bruce Montzka, part owner of Alley Cat Lanes, expressed concern the City Council is considering doubling the annual on-sale liquor license fees from \$500 to \$1000. He stated the local liquor stores are losing business due to the recently enacted non-smoking law in Minnesota. Montzka claimed patrons are going to South Dakota bars so they can drink and smoke and asked the Council not to raise the fees at this time. Norm Haukos of the VFW Club expressed similar concerns and stated the VFW was "hanging on by a shoestring".

CITIZENS TO BE HEARD: (cont.)

He also asked the City delay raising the fees. Mayor Johnson stated the Council considered raising the fees in anticipation of an influx of customers from the proposed power plant expansion. The Mayor stated no decision on an increase in the on-sale liquor fees has been made yet.

Eric Burmann expressed concerns regarding the City's plan to consider the possibility of consolidating the Police Department into the Big Stone County Sheriff's Department. He claimed Ortonville citizens and County Sheriff's officers were against this proposed consolidation. He also expressed concern about city police officers losing their jobs. Mayor Johnson stated if the Police Department were consolidated, the officers would be considered for hire by the County Sheriff's Department. Johnson also reported a consultant has been hired to give an objective opinion on future options for the Police Department, including whether or not the City should consolidate the Police Department with the County Sheriff's Department. Council Member Anderson stated it is not true that the County is against the plan.

CONSENT AGENDA:

Mayor Johnson requested Approve Expenditures be removed from the Consent Agenda.

Motion by Cunningham, second by Anderson *to approve the Consent Agenda as amended.*

8.b. Approve Increase of Community Center Coffee/Lunch Fee to \$1.00

8.c. Minutes of October 1, 2007 Regular Council Meeting

All in favor 5-0. MCU.

APPROVE EXPENDITURES:

Motion by Cunningham, second by Arndt *to approve the Expenditures.*

Roll Call: Aye: Anderson, Arndt, Cunningham, Meyer. Nay: None. Abstain: Mayor Johnson. Motion Carried 4-0-1.

RECOMMENDATIONS OF CITIZEN BOARDS, COMMITTEES AND COMMISSIONS:

9.a. Golf Board Recommendation: Authorize City Attorney to Draft an Ordinance Authorizing the Sale of Lots 1, 2, 3, 4, & 5, in Course Air Fourth Addition. Mayor Johnson asked the City require a home to be built within 2 years of the closing as a condition of the sale. The consensus was to authorize the City Attorney to draft an ordinance with the terms of the sale as stated.

9.b. Planning Commission Recommendation: Acquisition of Real Property from the Lundell Family is Compatible with the City of Ortonville 2002 Comprehensive Plan. Susan Lundell left the room at 7:43 PM. Planning Commission Chair Scott Simonitch reviewed the rationale and Planning Commission recommendation.

Resolution 07-114, Resolution Approving the Drafting of a Purchase Agreement to Acquire Parcels of Property From the Lundell Family at a Cost of \$75,000.00 Plus Associated Costs.

Motion by Cunningham, seconded by Anderson to adopt Resolution 07-114, Resolution Approving the Drafting of a Purchase Agreement to Acquire Parcels of Property From the Lundell Family at a Cost of \$75,000.00 Plus Associated Costs.

Roll Call: Aye: Johnson, Cunningham, and Anderson. Nay: Arndt and Meyer.

Motion Carried 3-2.

Susan Lundell returned to the room at 7:56 PM.

9.c. Charter Commission Recommendation: Call for a Public Hearing on the Proposed Charter Amendment - Regarding Ortonville Area Health Services.

Resolution 07-115, Resolution Calling for a Public Hearing on the Proposed Charter Amendment Regarding Ortonville Area Health Services.

Motion by Anderson, second by Cunningham to approve Resolution 07-115, Resolution Calling for a Public Hearing on the Proposed Charter Amendment Regarding Ortonville Area Health Services, and Calling For a Public Hearing at 7:00 PM on November 19, 2007 at the Dialysis Building.

All in favor 5-0. MCU.

9.d. OAHHS Health Board Recommendation: Review & Approval of Fiscal Year 2008 Budget - Rick Ash, Hospital Administrator.

Administrator Ash presented a budget for the fiscal year ending, September 30, 2008. Ash briefly reviewed the budget in a narrative format touching on subjects such as, patient usage, changing to electronic health records and hiring one and one-half (1 ½) full-time equivalents for the Information Technology (IT) function. Mayor Johnson suggested sharing an IT person with the hospital.

Resolution 07-116, Resolution Approving Ortonville Area Health Services Fiscal Year 2008 Budget

Motion by Cunningham, second by Arndt to approve Resolution 07-116, Resolution Approving Ortonville Area Health Services Fiscal Year 2008 Budget as presented by Administrator Ash. Discussion and questions followed.

Roll Call: Aye: Arndt, Anderson, Johnson, Cunningham, Meyer. Nay: None. 5-0. MCU.

9.e. Conmed/Linvatec Bid of \$98,527.00 for Laparoscopic Equipment.

Resolution 07-117, Resolution Approving Conmed/Linvatec Bid of \$98,527.00 for Laparoscopic Equipment. – Rick Ash

Motion by Arndt, second by Anderson to approve Resolution 07-117, Resolution Approving Conmed/Linvatec Bid of \$98,527.00 for Laparoscopic Equipment.

Roll Call: Aye: Arndt, Anderson, Johnson, Cunningham, Meyer. Nay: None. 5-0. MCU.

REPORTS FROM COUNCIL COMMITTEES:

10.a. Heritage Preservation Commission Members Craig Randleman and Burt Nypen reported on their attendance at a National Trust for Historic Preservation Conference in St. Paul, Minnesota. They were amazed at the number of people attending and the variety of resources available to communities wishing to preserve their history. Randleman stated they are just beginning the education process of learning what historic preservation means and what the success stories can mean for a community. Nypen reported that 10 or more buildings in the downtown Ortonville area bear the names of the families that built the buildings nearly 100 years ago. He stated these buildings need to be preserved and if their restoration is successful, the improvements could increase the tax base. Nypen stated the support of the City Council is important.

10.b. Minnesota Housing Partnership Working Group Mayor Johnson reported the work group applied for a grant but was denied. MHP has decided to work with the City of Ortonville by including Ortonville within an application for a grant from USDA Rural Development. The next MHP working group meeting is Wednesday, October 17 in the basement of the Library.

10.c. Raw Water Transmission Line Engineer Bob Schlieman reported Ernst Trenching is boring under the Minnesota River and the project has gone well. The contractor anticipates pulling the new line this week.

UNFINISHED BUSINESS:

11.a. Local Board of Appeal & Equalization. Big Stone County Assessor Sandra Vold reported with Arndt leaving the City Council this year, the City would have no trained Council Member to attend the Local Board of Review meeting in the Spring of 2008. State Law requires that one trained Council Member must attend the meeting. At least one Council Member would have to receive training prior to the 2008 meeting and Vold expressed concern regarding the availability of training sessions in Minnesota before next Spring. She stated a Council Member would have to be trained or the County could hold the meeting for them in what is called an "Open Book" meeting which would be under the jurisdiction of the County. Council Member Arndt stated he would like the City continue to have the Local Board of Appeal & Equalization remain under City jurisdiction. He asked that the Council try to get someone trained. Vold will get information on available training sessions and report back to Clerk-Administrator David Lang.

11.b. Ordinance Allowing Partial Prepayment of Special Assessments**Ordinance 07-006, An Ordinance Allowing Partial Prepayment of Special Assessments**

Motion by Cunningham, second by Meyer to approve the first reading of Ordinance 07-006, An Ordinance Allowing Partial Prepayment of Special Assessments. Discussion and questions followed.

Roll Call: Aye: Arndt, Cunningham, Johnson, Meyer, Anderson. Nay: None.

All in favor 5-0. MCU.

UNFINISHED BUSINESS: (cont.)

11.c. (Handled under 9.b.) Authorizing City Attorney to Draft a Purchase Agreement to Acquire Real Property from the Lundell Family.

NEW BUSINESS:

12.a. Resolution 07-118, Resolution Approving Extension of Lease-MN Department of Public Safety for Motorcycle Skill Test Course.

Motion by Cunningham, second by Arndt to approve Resolution 07-118, Resolution Approving Extension of Lease-MN Department of Public Safety for Motorcycle Skill Test Course.

Roll Call: Aye: Cunningham, Arndt, Johnson, Meyer, Anderson. Nay: None. 5-0. MCU.

12.b. Resolution 07-119, Resolution Approving Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Maintenance Operation.

Motion by Arndt, second by Meyer to approve Resolution 07-119, Resolution Approving Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Maintenance and Operation.

Roll Call: Aye: Cunningham, Arndt, Johnson, Meyer, Anderson. Nay: None. 5-0. MCU.

12.c. Resolution 07-120, Resolution Approving Membership in Preservation Alliance of Minnesota.

Motion by Cunningham, second by Johnson to approve Resolution 07-120, Resolution Approving Membership in Preservation Alliance of Minnesota.

Roll Call: Aye: Cunningham, Arndt, Johnson, Meyer, Anderson. Nay: None. 5-0. MCU.

CITY CLERK-ADMINISTRATOR REPORTS & RECOMMENDATIONS:

13.a. MN Senate Capital Committee Bonding Bill Visit – November 8, 2007

Lang noted the Committee visit to review the 2007 application for Lakeside Park is scheduled for 11:30 AM on Thursday, November 8th.

13.b. Broadband Internet Webinar and Broadband Conference

Lang indicated this seminar is the same day as the Capital Bonding Bill Committee visit.

13.c. Missouri River Energy Services Area Meetings – October 24, 2007

Lang stated the meeting is in Alexandria, and offered to register any Councilor wishing to attend

13.d. Wind Energy Conference – November 16, 2007

Lang offered to register any Councilor wishing to attend

13.e. 2008 Budget Preparation

Lang noted the next budget committee meeting will be held during October

13.f. MN Housing Partnership Work Group Meeting – October 17, 2007

Lang stated the next meeting of the entire group will be a 45-day check-in meeting. Mayor Johnson will provide an update at the next Council Regular Meeting.

CITY CLERK-ADMINISTRATOR REPORTS & RECOMMENDATIONS: (cont.)

13.g. Update: Small Cities Development Grant Application

Lang indicated the application was completed and submitted on a timely basis. The City will be notified by December 2007 whether or not we will be selected for the final round of consideration.

13.h. City Office Relocation

Lang noted the relocation was completed on October 4th and 5th. The City Office is temporarily in the upper level of the Sealy Real Estate Building.

13.j. Financial Presentation by Ehlers & Associates with OAHS Board – October 23, 2007

Lang stated Ehlers will be discussion timing options for the issuance of bonds to fund OAHS hospital improvements. The meeting will be noticed to enable all Councilors to be present.

ADJOURNMENT:

Motion by Cunningham, second by Meyer to adjourn at 9:00 PM.

All in favor 5-0. MCU.

ATTEST:

Blair Johnson
Mayor

David A. Lang
Clerk-Administrator

