

**ORTONVILLE CITY COUNCIL
COUNTY OF BIG STONE, STATE OF MINNESOTA
REGULAR MEETING MINUTES
DIALYSYS BUILDING – 435 EASTVOLD AVENUE
MONDAY, SEPTEMBER 17, 2007
7:00 P.M.**

CALL TO ORDER AND ROLL CALL:

Mayor Blair Johnson called the regular meeting of the Ortonville City Council to order at 7:00 P.M. Roll call was taken with the following Present: Mayor Blair Johnson, Artie Arndt, John Cunningham, Mike Dorry, Bob Meyer and Dan Oakes, and the following Absent: Nick Anderson. City Staff Present: City Administrator David Lang, City Attorney Craig Ash, and Public Works Director Tim Scherer, City Engineer, Bob Schlieman. Media Present: Mike Swenson (*Ortonville Independent*), Julie French (*KDIO Radio*) Others Present: Heritage Preservation Commission Chair Craig Randleman, Rick Ash, Steve Berkner, Mary Lou Meyer, Mark Berg, David Dinnel, Marcy Stotesbery and other interested citizens.

AGENDA AMENDMENTS/APPROVAL:

Remove Item 8.a. Approve Minutes of August 6, 2007 City Council Regular Meeting
Remove Item 8.b. Approve Minutes of August 15, 2007 City Council Hearing Meeting
Remove Item 8.c. Approve Minutes of August 20, 2007 City Council Regular Meeting
Remove Item 8.d. Approve Minutes of September 4, 2007 City Council Regular Meeting
Add Item 8.i. Participation in Local Update of Census Addresses
Delete Item 9.a. Golf Board Recommendation: Club House Deck
Add Item 11.f. Ortonville Focus Newsletter
Motion by Dorry, second by Arndt to approve the Agenda as amended.
All in favor. 6-0. MCU (Motion Carried Unanimously)

CITY ATTORNEY REPORTS & RECOMMENDATIONS:

3.a. Update: Big Stone Lake Weed Removal
Craig Ash stated there is no progress on this item.
3.b. Update: Water Contract With Big Stone City
Craig Ash indicated he hopes to have more information after the Big Stone City City Council meets on October 1, 2007.

BIDS:

**4.a. Authorize Construction of 2007 Raw Water Transmission Line Replacement
Resolution 07-098, Resolution Authorizing Construction of 2007 Raw Water Line
Replacement**
**Motion by Arndt, second by Cunningham to approve Resolution 07-098, Resolution
Authorizing Construction of 2007 Raw Water Transmission Line Replacement.** City
Engineer Bob Schlieman explained Ernst Trenching of Fargo, North Dakota is the sole
bidder at \$66,986.50, and intends to directional bore under the Minnesota River.
**Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None.
6-0. MCU.**

BIDS: (cont.)

4.b. Authorize Construction of 2007 Sanitary Sewer Rehabilitation – Hill Side Area and Lakeshore Drive

Resolution 07-099, Resolution Approving Construction of 2007 Sanitary Sewer Rehabilitation – Hill Side Area and Lakeshore Drive

Motion by Cunningham, second by Oakes to approve Resolution 07-099, Resolution Approving Construction of 2007 Sanitary Sewer Rehabilitation – Hill Side Area and Lakeshore Drive. Bob Schlieman explained Lametti & Sons, Inc. from the Twin Cities Metro area is the low bidder at \$439,679.00. He noted this contractor did inspect the site prior to submitting a bid.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:

6.a. Ortonville Area Health Services Administrator Rick Ash reviewed a copy of the AIA Architects Agreement for Services. He stated HDR/Jordan Architects was selected. The agreed upon fee is 8.5% of the projected construction cost of \$10 million, for a total of \$850,000.00. Discussion and questions followed.

CITIZENS TO BE HEARD:

There were no comments this evening.

CONSENT AGENDA:

Motion by Arndt, second by Cunningham to approve the Consent Agenda, which included the following items:

8.e. Approve Expenditures

8.d. Accept Resignation of Brenda Dinnel From Library Board

8.h. Approve Appointment of Joan Hasslen to Heritage Preservation Commission

8.i. Approve Participation in Local Update of Census Addresses

All in favor. 6-0. MCU.

RECOMMENDATIONS FROM COUNCIL COMMITTEES:

9.b. Utility Committee Recommendation: Approve Purchase of 20 Digital Repeater For The Automated Meter Reading System

Resolution 07-100, Resolution Approving Purchase of 20 Digital Repeater For The Automated Meter Reading System

Motion by Cunningham, second by Oakes to approve Resolution 07-100, Resolution Approving Purchase of 20 Digital Repeater For The Automated Meter Reading System. Lang explained the second-generation hardware is needed to improve the reliability of obtaining the meter readings.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

RECOMMENDATIONS FROM COUNCIL COMMITTEES: (cont.)

9.b. Utility Committee Recommendation: Approve MN Department of Health Wellhead Protection Plan Part I

Resolution 07-101, Resolution Approving Minnesota Department of Health Wellhead Protection Plan Part I

Motion by Cunningham, second by Oakes to approve Resolution 07-101, Resolution Approving Minnesota Department of Health Wellhead Protection Plan Part I.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

9.c. OAHS Health Board Recommendation: Approve OAHS Home Health Grant with State of Minnesota - \$26,705

Resolution 07-102, Resolution Approving Ortonville Area Home Health Grant with State of Minnesota

Motion by Dorry, second by Cunningham to approve Resolution 07-102, Resolution Approving Ortonville Area Home Health Grant with State of Minnesota. It was noted this grant requires a matching outlay from OAHS of \$26,705.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

REPORTS FROM COUNCIL COMMITTEES:

10.a Utility Committee: Hill Top & Lakeshore Drive Sewer Rehab Project

City Engineer Bob Schlieman provided the bid opening results earlier this evening.

10.b. Utility Committee: Raw Water Transmission Line Beneath Minnesota River

City Engineer Bob Schlieman provided the bid opening results earlier this evening.

UNFINISHED BUSINESS:

11.a. Call for Rita Road Improvements Public Hearing on October 15, 2007 and Establish Term of Years and Interest Rate Payable by Benefited Property Owners for Special Assessments

Resolution 07-103, Resolution Of The City Of Ortonville Adopting Assessments

Motion by Arndt, second by Cunningham to adopt Resolution 07-103, Resolution Of The City Of Ortonville Adopting Assessments, with a term of 15 years at an annual interest rate of 5.5%. Discussion and questions followed.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, and Meyer. Nay: None. Abstain: Oakes.

5-0-1. Motion Carried.

11.b. Approve Standard AIA Contract – Agreement Between Owner OAHS and Architect HDR Architecture Inc., dba HDR/Jordan Architects

Resolution 07-104, Resolution Approving Contract Between Owner Ortonville Area Health Services and Architect HDR Architecture Inc., dba HDR/Jordan Architects

UNFINISHED BUSINESS: (cont.)

11.b. Resolution 07-104 (cont.)

Motion by Oakes, second by Dorry to approve Resolution 07-104, Resolution Approving Contract Between Owner Ortonville Area Health Services and Architect HDR Architecture Inc., dba HDR/Jordan Architects.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

11.c. Approve Waiver of Reimbursement Under M.S. 414.036 From Ortonville Township In The Matter Of The Petition Of The Ortonville EDA To Annex Unincorporated Adjoining Property To The City Of Ortonville Resolution 07-105, Resolution Approving Waiver of Reimbursement Under M.S. 414.036 From Ortonville Township In The Matter Of The Petition Of The Ortonville EDA To Annex Unincorporated Adjoining Property To The City Of Ortonville

Motion by Cunningham, second by Arndt to adopt Resolution 07-105, Resolution Approving Waiver of Reimbursement Under M.S. 414.036 From Ortonville Township In The Matter Of The Petition Of The Ortonville EDA To Annex Unincorporated Adjoining Property To The City Of Ortonville. Discussion and questions followed.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

11.d. Second Reading: Ordinance 2007-05, An Ordinance of The City Of Ortonville, Minnesota Annexing Land And Extending The Corporate Limits Of The City To Include Certain Land Now A Part Of Ortonville Township

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None. 6-0. MCU.

11.e. Schedule Council Budget Committee Meeting

City Administrator Lang will coordinate the scheduling of the next meeting.

11.f. Ortonville Focus Newsletter

Discussion and questions followed. It was also suggested to put Ortonville City Council at the bottom, rather than the City Administrator, and to make the ad a 12-point font in size, not to exceed one-half page.

Motion by Arndt, second by Cunningham, to publish the Focus Newsletter as signed by the Ortonville City Council with the specifics as discussed above.

Roll Call: Aye: Arndt, Cunningham, Johnson and Oakes. Nay: Dorry and Meyer. 4-2. Motion Carried.

NEW BUSINESS:

12.a Authorize Approval of Law Enforcement Contracting Services Contract and 50% - 50% Cost Sharing With Big Stone County – Stewart Wirth Consulting Resolution 07-107, Resolution Approving Law Enforcement Contracting Services Contract and 50% - 50% Cost Sharing With Big Stone County – Stewart Wirth Consulting

NEW BUSINESS: (cont.)

12.a. Resolution 07-107 (cont.)

Motion by Cunningham, second by Johnson to approve Resolution 07-107, Resolution 07-107, Resolution Approving Law Enforcement Contracting Services Contract and 50% - 50% Cost Sharing With Big Stone County – Stewart Wirth Consulting. Discussion and questions followed. It was noted 50% of the total cost allocated to the City would be \$1,425.

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

4-2. Motion Carried.

12.b. Approve Hiring Sue Lundell as a Part-Time Administrative Assistant

Resolution 07-108, Resolution Approving Hiring Sue Lundell as a Part-Time Administrative Assistant

Motion by Cunningham, second by Arndt to approve Resolution 07-108, Resolution Approving Hiring Sue Lundell as a Part-Time Administrative Assistant. Discussion and questions followed. The memo drafted by Administrator Lang was reviewed.

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

4-2. Motion Carried.

12.c. Appoint City Clerk-Administrator David Lang as Responsible Authority Under the Minnesota Government Data Practices Act

Resolution 07-109, Resolution Appointing A Responsible Authority And Assigning Duties

Motion by Oakes, second by Cunningham to adopt Resolution 07-109, Resolution Appointing A Responsible Authority And Assigning Duties. Discussion and questions followed.

Roll Call: Aye: Arndt, Cunningham, Dorry, Johnson, Meyer and Oakes. Nay: None.

6-0. MCU.

CITY ADMINISTRATOR REPORTS & RECOMMENDATIONS:

13.a. League of MN Cities Regional Meetings

Lang stated the closest LMC Regional Meeting is scheduled for September 18th in New London, and noted he will be attending along with Councilors Dorry and Meyer.

13.b. League of MN Cities Resource Guide For Dealing With Budget Cuts

Lang noted the Guide can be a benefit during the budget preparation process.

13.c. MPCA Underground Storage Tank Field Citation Warning – 09-10-07

Lang briefly reviewed the report, and has follow-up with the appropriate City Staff. No fine will be incurred.

13.d. Multi-Jurisdictional Language Classes For Law Enforcement Officers

Lang indicated he had identified a certified instructor who is available to come to the area to conduct on-site classes when it is determined to proceed with this matter. It was noted to request payment from the Big Stone II power plant project when this cost is incurred.

13.e. 2008 Budget Preparation

Lang stated the 2008 General Fund Budget is complete and work on the enterprise fund budgets is underway.

13.f. City Council Election Filings for November 6, 2007 General Election

Lang indicated there are three candidates for the three at-large seats: Incumbent Mike Dorry, Steve Berkner and Craig Randleman.

13.g. Update: Minnesota Housing Partnership Task Force

Lang indicated the four work groups are conducting meetings. A 45-day “check-in” meeting is scheduled for October 17, 2007.

13.h. Transform 2010 Regional Summit, Catch the Wave

Lang noted regional meeting on the aging rural population is scheduled for later this month in Willmar.

ADJOURNMENT:

Motion by Dorry, second by Meyer to adjourn the Meeting at 8:43 P.M.

All in favor. 6-0. MCU

APPROVED:

ATTEST:

Blair Johnson
Mayor

David A. Lang
Clerk-Administrator