

**ORTONVILLE CITY COUNCIL
COUNTY OF BIG STONE, STATE OF MINNESOTA
REGULAR MEETING MINUTES
DIALYSYS BUILDING – 435 EASTVOLD AVENUE
TUESDAY, SEPTEMBER 4, 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, Nick Anderson, John Cunningham, Mike Dorry, Bob Meyer and Dan Oakes, and the following Absent: Artie Arndt. City Staff Present: City Administrator David Lang, City Attorney Craig Ash, Public Works Director Tim Scherer, Golf Course Superintendent Travis Strasser, Public Works employee Nick Golden, Police Officer Jason Mork, Media Present: Mike Swenson (*Ortonville Independent*), Julie French (*KDIO Radio*) Others Present: Heritage Preservation Commission Chair Craig Randleman, Burton Nypen, Janis Sellin, Joan Jurgens, Amber Eustice, Joe Eustice Elsie Perrine, Terry LaVoie, Leonard Olson, Darlene and James Loeschke, Albert and Clara Lotthammer, Alfred Roeder, Inga Koeckeritz, Cathy Karels, Janeice Larsen, Vicki Oakes, Jim Foster, 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 20, 2007 City Council Regular Meeting
Add Item 11.a. Reconsideration of Previous Council Decision Regarding Outside Storage of Boat Lifts and Docks
Motion by Anderson, second by Cunningham 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.

PUBLIC HEARING:

5.a. Vacation of a Portion of the Street Known as “Rita Road” in Course-Air First Addition

Mayor Johnson opened the Public Hearing at 7:03 PM. There being no public comment on this matter, he closed the Public Hearing at 7:04 PM.

Resolution 07-089, Resolution Vacating A Portion Of Street

Motion by Cunningham, second by Meyer to approve Resolution 07-089, Resolution Vacating A Portion Of Street.

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

6-0. MCU.

PUBLIC HEARING: (cont.)

5.b. Approving The Final Plat Of Course-Air Fourth Addition

Mayor Johnson opened the Public Hearing at 7:04 PM. There being no public comment on this matter, he closed the Public Hearing at 7:05 PM.

Resolution 07-090, Resolution Approving The Final Plat Of Course-Air Fourth Addition

Motion by Cunningham, second by Oakes to approve Resolution 07-090, Resolution Approving The Final Plat Of Course-Air Fourth Addition.

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

6-0. MCU.

RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:

6. There were none at the meeting this evening.

CITIZENS TO BE HEARD:

Nick Golden requested a portion or all of his 2007 golf dues be refunded because he missed the entire golf season. Mayor Johnson explained the Golf Board has always denied this type of medical disability request due to the difficulty of determining how much to refund to the golf club member. Discussion and questions followed. The Council did not make a decision on his request this evening.

With respect to the issue of whether continue with a separate Ortonville Police Department or to consolidate this function with the County Sheriff Department, Mayor Johnson noted there would still be dedicated law enforcement officers in Ortonville 20 hours per day if it was decided to leave the weekly patrol hours at the current level.

Jim Loeschke noted Ortonville has approximately 38% of the Big Stone County population. Since 2000, Big Stone County has lost approximately 500 residents; about one-third of this loss occurred in Ortonville. Janis Sellin stated the citizen petition was really a survey. She feels the Police Department should continue as is because Ortonville is at the intersection of two major highways. Joan Jurgens stated she does not want the Police Department consolidated into the County Sheriff's Department. Joe Eustice expressed the need to control costs in future years if the consolidation takes place. He noted this would need to be defined within the terms of a contract. Councilor Mike Dorry stated this issue has been considered each year for the past several years, and he would not like to have consolidation take place. Elsie Perrine indicated she believed the people who signed the survey understood what its intent was. Terry LaVoie is opposed to consolidation. He stated of all locations in the area, Ortonville has the lowest incidence of vandalism on construction sites.

CONSENT AGENDA:

Motion by Oakes, second by Meyer to approve the Consent Agenda, which included the following items:

8.c. Approve Expenditures

8.d. Approve Appointment of Adam Ellard to the Fire Department

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

All in favor. 6-0. MCU.

RECOMMENDATIONS FROM COUNCIL COMMITTEES:

9.a. Utility Committee Recommendation: To Defer to the Budget Committee to Establish a Policy for Water and Sewer Connection Fees

City Staff research indicates previous Council decisions reflect a fee of \$1,250 each for water and sewer hook-ups to the property line. The City has paid for the provision of the hook-ups up to the property line. The Council took no action this evening.

REPORTS FROM COUNCIL COMMITTEES:

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

The bid opening is scheduled for this Fall, and project will start in the Spring of 2008.

10.b. Utility Committee: Utility Extension to Property West of Trunk Highway 75

There is no current interested prospect to develop the property.

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

The bid opening is scheduled for September 12, 2007. One vendor plans to propose boring an underground line beneath the Minnesota River. This would make an open river cut unnecessary.

10.d. Planning Commission: Review & Updating of 2002 Comprehensive Plan

With the efforts of the Minnesota Housing Partnership Task Force underway, the Planning Commission has determined to undertake an update of the current Comprehensive Plan. City Council approval for planning consultant fees will be sought at the appropriate time.

10.e. Planning Commission: Rental Housing Inspection Ordinance

The City Attorney is working with the Planning Commission to draft a rental housing inspection ordinance for consideration by the City Council in 2008.

10.f. Planning Commission: Demolition of Dilapidated Buildings Procedure

The City Attorney is also working with the Planning Commission to draft an ordinance to facilitate the demolition of dilapidated buildings.

10.g. Planning Commission: Possible Billboard Signage Ordinance Revision for Scenic Byway

The City Attorney is also working with the Planning Commission to consider a possible billboard signage ordinance revision to comply with the Scenic Byway designation within the City limits. This effort is in response to a request from the Upper Minnesota Valley Regional Development Commission.

UNFINISHED BUSINESS:

11.a. Reconsideration of Outdoor Boat Lift and Dock Storage

It was noted the League of MN Cities risk management consultant recommended all outside equipment storage be fenced due to liability concerns. In view of this, he has recommended the City not proceed with outdoor storage of unsecured boatlifts and docks.

Motion by Oakes, second by Cunningham to rescind the previous City Council decision leasing eight spaces for dock rental at the beach area near the pier at a rate of \$40 per season. Discussion and questions followed.

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

5-1. Motion Carried.

NEW BUSINESS:

12.a Approve Wording of Standard AIA Contract – Agreement Between Owner and Architect for Ortonville Area Health Services

Resolution 07-091, Resolution Approving Wording of Standard AIA Contract – Agreement Between Owner and Architect For Ortonville Area Health Services

Motion by Dorry, second by Anderson to approve Resolution 07-091, Resolution Approving Wording of Standard AIA Contract – Agreement Between Owner and Architect For Ortonville Area Health Services. Discussion and questions followed. It was noted the architect has not been selected; however to keep the selection process moving forward, contract language approval is being sought at this time.

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

6-0. MCU.

12.b. Refer Minnesota Department of Health Wellhead Protection Plan Part I to the Utility Committee

By consensus, the Council referred this matter to the Utility Committee.

12.c. Refer Missouri River Energy Services Questionnaire on Conservation Improvement Program to the Utility Committee

By consensus, the Council referred this matter to the Utility Committee.

12.d. Refer Marihart Surveying P.A Letter RE: Ron Johnson to the Planning Commission

By consensus, the Council referred this matter to the Planning Commission.

12.e Approve 2007-2008 Safety Management Contract with MMUA

Resolution 07-092, Resolution Approving 2007-2008 Safety Management Contract With Minnesota Municipal Power Association

Motion by Dorry, second by Cunningham to approve Resolution 07-092, Resolution Approving 2007-2008 Safety Management Contract With Minnesota Municipal Power Association.

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

6-0. MCU.

NEW BUSINESS: (cont.)

12.f. 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

City Attorney Ash explained the Township Agreement to Waive Taxes has not yet been received from Ortonville Township. Therefore, he recommended tabling this matter until the September 17, 2007 Council Regular Meeting.

By consensus the Council tabled this matter.

12.g. Schedule Council Budget Committee Meeting(s)

The Budget Committee scheduled its next meeting at 12:00 Noon on Friday, September 7, 2007 at the City Office.

12.h. Approve Participation in Minnesota Housing Partnership RDIC Grant Application

Resolution 07-093, Resolution Approving Participation In Minnesota Housing Partnership RDIC Grant Application

Motion by Cunningham, second by Oakes to approve Resolution 07-093, Resolution Approving Participation In Minnesota Housing Partnership RDIC Grant Application. It was noted the purpose of the grant is to increase local capacity to create affordable housing.

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

6-0. MCU.

12.i. Approve Acquisition of Tax-Forfeited Land Within The City of Ortonville – \$275.00 Total

Resolution 07-094, Resolution Approving Acquisition Of Tax-Forfeited Lands Within The City Of Ortonville

Motion by Cunningham, second by Johnson, to approve Resolution 07-094, Resolution Approving Acquisition of Tax-Forfeited Lands Within The City of Ortonville. Discussion and questions followed.

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

5-1. Motion Carried.

**12.j. Approve Membership in Hometown Minnesota, Inc. - \$200.00 Annual Dues
Resolution 07-095, Resolution Approving Membership in Hometown Minnesota, Inc.**

Motion by Cunningham, second by Oakes to approve Resolution 07-095, Resolution Approving Membership in Hometown Minnesota, Inc. It was noted members of the Heritage Preservation Commission will be attending a seminar sponsored by this group later this month.

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

6-0. MCU.

NEW BUSINESS: (cont.)

12.k. Schedule Dates for Truth In Taxation Hearings

By consensus, the Council scheduled the following Truth In Taxation Hearings: Initial Hearing – 6:00 PM on Monday, December 3, 2007 and Continuation Hearing – 6:00 PM on Monday, December 10, 2007. Both Hearings will be held at the Dialysis Building 435 Eastvold Avenue.

12.l. Schedule City Council Meeting to Establish the Preliminary Property Tax Levy for Taxes Payable in 2008

By consensus, the Council scheduled a Special Meeting to Establish the Preliminary Property Tax Levy for Taxes Payable in 2008 at 5:00 PM at the City Office 315 Madison Avenue.

CITY ADMINISTRATOR REPORTS & RECOMMENDATIONS:

13.a. National Incident Management System Classes – 6:00 PM August 21st & 23rd

Lang noted the NIMS classes with a good turnout by the various City departments and City Council.

13.b. League of MN Cities Regional Meetings

Lang stated the closest LMC Regional Meeting is scheduled for September 18th in New London, and offered to register any Councilor wishing to attend.

13.c. League of MN Cities Loss Prevention Visit Report & Recommendations

Lang briefly reviewed the report, and will follow up with the appropriate City Staff.

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.

13.e. General Liability Insurance Premium Distribution

Lang briefly reviewed the premium distribution spreadsheet indicating how the premium dollars are allocated among the various departments.

13.f. 2008 Budget Preparation

Lang stated the Budget Committee will have completed the General Fund Budget prior to the Council meeting scheduled next week to establish the preliminary property tax levy.

13.g. Reminder: City Council Election Filings For November 6, 2007 General Election

Lang noted the filing period closes at 5:00 PM on Tuesday, September 11, 2007.

13.h. Update: Minnesota Housing Partnership Task Force

Lang stated the large group meeting was held on August 29th. Four working groups have been formed: 1) Ortonville Promotions/Attractions, 2) Economic Development & Downtown Rehab, 3) Housing, and 4) Comprehensive Plan Review & Update. A 45-day “check-in” meeting is scheduled for October 17, 2007.

13.i. Update: Graphic Information Systems (GIS)

Lang noted a packet handout summarizing the GIS data the UMVRDC has already compiled for the City of Ortonville. It appears Big Stone County may make an initial GIS investment during 2008.

CITY ADMINISTRATOR REPORTS & RECOMMENDATIONS: (cont.)

13.j. Western MN Municipal Power Agency & MRES Board of Directors Meetings Notices

Lang stated both Board meetings will be held in Sioux Falls, SD on September 13, 2007.

13.k. Local Energy Initiatives Conference

Lang indicated this conference will be held in Morris on September 10, 2007.

ADJOURNMENT:

Motion by Dorry, second by Oakes to adjourn the Meeting at 8:50 P.M.

All in favor. 6-0. MCU

APPROVED:

ATTEST:

Blair Johnson
Mayor

David A. Lang
Clerk-Administrator