

**ORTONVILLE CITY COUNCIL MEETING MINUTES**  
**REGULAR MEETING**  
**CITY OFFICE MEETING ROOM**  
**315 Madison Avenue, Ortonville, MN**  
**Tuesday, February 17, 2009**  
**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 7:05 P.M. Roll Call was taken with the following present: Mayor Blair Johnson, Nick Anderson, Craig Randleman, Bob Meyer, John Cunningham, Mike Dorry, Steve Berkner. Staff Present: City Administrator David Lang, Deputy Clerk Susan Lundell, City Attorney Craig Ash, Golf Course Manager Travis Strasser. Media Present: Sue Kaercher Blake (*Ortonville Independent*). Others Present: Jon Olson and Bob Schlieman of Ulteig Engineers, Carolyn Drude of Ehlers & Associates, Dan Oakes, Penny Baybridge, Ron Frauenshuh, Marcy Stotesbery and other interested citizens.

**AGENDA AMENDMENTS/APPROVAL:**

**Add:**

**12.k. Resolution Approving Minnesota Public Facilities Authority Application for a Drinking Water Revolving Fund Loan**

**12.l. Resolution Approving Minnesota Public Facilities Authority Application for a Clean Water Revolving Fund Loan**

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

**All in favor. 7-0. MCU. (Motion Carried Unanimously).**

**CITY ATTORNEY REPORTS & RECOMMENDATIONS:**

**3.a. Formation of Ad-Hoc Committee to Draft Ortonville Area Health Services Ordinance Amendments. This is a follow-up to the Charter Amendment passed in 2008.**

**Motion by Anderson second by Cunningham to appoint Mike Dorry, Rick Ash, Craig Ash and David Lang to an Ad-Hoc Committee to Draft Ortonville Area Health Services Ordinance Amendments.**

**All in favor. 7-0. MCU.**

**RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:**

6.a. Carolyn Drude, Ehlers & Associates-State Credit Enhancement, Contract for Continuing Disclosure Reporting Services, Payment of 2003 Warrants, Arbitrage Reporting-OAHS Utility Warrants.

Carolyn reported on the State Credit Enhancement Program whereby the State of Minnesota guarantees refunding as well as new bond issues. The City currently has an outstanding Water Revenue Bond from 2000. These bonds are now callable without penalty. The interest rate set on the bonds was 4.5% for 30 years. The City can pass a Resolution authorizing Ehlers & Associates to pay off these bonds for the City when the market conditions are right. This would facilitate a quick turnaround rather than having to

**RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS: (Cont.)**

wait for a City Council meeting to get approval for the payment. Standard and Poors will rate these bonds as AAA. The cost to the City for Credit Enhancement would be \$500.00.

Carolyn also presented a sample Contract to Provide Continuing Disclosure Reporting Services. If the City enters into a contract for these services, Ehlers will prepare and disseminate Annual Continuing Disclosure Reports for all outstanding issues of the City for which they are required. Option 1 of the contract would provide the most comprehensive service to the City and the Base Fee would be \$1,300.00 with other miscellaneous fees being added as necessary as per the contract.

Carolyn recommended paying off in full the Public Utility Revenue Warrants of 2003 with an approximate balance of \$120,000.00. Ehlers recommends that we do this now.

Documents in connection with the recent Utility Revenue Warrants issued for the hospital project contain some arbitrage reporting requirements. Arbitrage calculations were discussed.

6.b. Robert Schlieman, of Ulteig Engineering-McCloud Street Utility and Street Improvements and Sanitary Sewer Forcemain Replacement west of Lake Shore Drive. The force main broke 3 times in the past 2 years.

a. Proposed Improvements

1. Street Options:

Four Options for McCloud Street and Spring Drive Improvements were discussed. No new right-of way would be required.

2. Assessments:

The City should decide if and how the proposed improvements should be assessed to benefitting properties. The Engineer estimated there were 72 services served by the lift station. Assessing 30% was built in to the tables.

3. Easements:

City staff has indicated they would like to try to assess 15 feet on each side of the existing gravity sanitary sewer and 15 feet on each side of the proposed forcemain. Discussion and questions followed.

4. Funding Application:

Restoring the original street is PFA eligible. To widen the street, curb & gutter would add \$137,000 to \$150,000 in non-PFA eligible costs. Page 7 with 22' rural section would be eligible; anything above that would not.

b. Water Treatment Facility Update-The Engineer will put together a Facility Plan that will outline what needs to be done in order to increase the filter run times between backwashings.

c. 2010 Construction Projects Facilities Plan including the Environmental Information Worksheet and Preliminary Engineering Report will be billed at an hourly rate not to exceed \$10,000.

**CITIZENS TO BE HEARD:**

None.

**CONSENT AGENDA:**

**8.a. Approve Minutes of City Council Regular Meeting February 2, 2009**

**8.b. Approve Minutes of City Council Workshop Meeting February 2, 2009**

**Motion by Randleman, seconded by Cunningham to approve the Consent Agenda as presented.**

**All in favor. 7-0. MCU.**

**RECOMMENDATIONS OF CITIZEN BOARDS, COMMITTEES AND COMMISSIONS:**

**9.a. Golf Board Recommendation: Resolution Approving Golf Course Policies-Members and Management.**

**Resolution 09-017, Approving Golf Course Policies-Members and Management.**

**Motion by Berkner, second by Cunningham to adopt Resolution 09-017, Approving Golf Course Policies-Members and Management.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**Motion by Anderson second by Cunningham to allow the golf Course Clubhouse Lessees Authority to Ranger the Golf Course and to refer the Policy of Allowing Golf Carts on Streets to the Street Committee.**

**All in favor. 7-0. MCU.**

**REPORTS FROM COUNCIL COMMITTEES:**

10.a.Planning and Zoning Committee-2008 Building Permit Schedule-John Cunningham.

10.b.Utility Committee Report-Water Conservation Rates-John Cunningham

Minnesota Rural Water Association is helping the city with Water Conservation Rates. There will be an incentive to conserve water with higher rates for those using a lot of water.

**10.c. Street Committee Recommendation: Resolution to Purchase Front End Loader-\$57,147.00 Subject to 2009 Budget Review Process.**

**Motion by Berkner, second by Randleman to table.**

**All in favor. 7-0. MCU.**

**10.d. Street Committee Recommendation: Resolution Approving Installation of Signage Along All Entrances to the City Regarding Enforcement of Zoning Ordinances and Required Building Permits.**

**Resolution 09-018, Resolution Approving Installation of Signage Along All Entrances to the City Regarding Enforcement of Zoning Ordinances and Required Building Permits.**

**Motion by Berkner, second by Cunningham to adopt Resolution 00-018, Resolution Approving Installation of Signage Along All Entrances to the City Regarding Enforcement of Zoning Ordinances and Required Building Permits.**

**REPORTS FROM COUNCIL COMMITTEES: (Cont.)**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**10.e. Planning Commission Recommendation: Zoning and Subdivision Fees-Bob Meyer**

**Meyer recommended the City charge \$500.00 in Zoning and Subdivision Fees to Developers at the time of application. Additional expenses the City incurs in regard to the Application will be paid by the Developer.**

*Motion by Meyer, second by Berkner to charge \$500.00 in Zoning and Subdivision Fees to Developers at the time of application. Additional expenses incurred by the City regarding the Application will be paid by the Developer.*

**All in favor. 7-0. MCU.**

**10.f. Utility Committee Recommendation: Resolution Approving Appointment of Representatives to Missouri Basin Municipal Power Agency dba Missouri River Energy Services.**

**Resolution 09-019, Resolution Approving Appointment of Representatives to Missouri Basin Municipal Power Agency dba Missouri River Energy Services.**

*Motion by Meyer, second by Randleman to adopt Resolution 09-019, Resolution Approving Appointment of Representatives to Missouri Basin Municipal Power Agency dba Missouri River Energy Services.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**10.g. Utility Committee Recommendation: Resolution Approving Appointment of Representatives to Western Minnesota Municipal Power Agency.**

**Resolution 09-020, Approving Appointment of Representatives to Western Minnesota Municipal Power Agency.**

*Motion by Cunningham, second by Randleman to adopt Resolution 09-020, Approving Appointment of Representatives to Western Minnesota Municipal Power Agency.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**10.h. EDA Committee Report-Action Steps for Working Within 2009 Recession-Mayor Johnson.**

Randleman suggested the workshop be put on quarterly as it was helpful to local businesses.

**10.i. Utility Committee Recommendation: Resolution Approving LED Lighting Conversion for Main Street Christmas Light Wreaths-\$2,200.00**

John Cunningham reported this would solve an overload problem on main street. Discussion and questions followed.

**Resolution 09-021, Approving LED Lighting Conversion for Main Street Christmas Light Wreaths-\$2,200.00.**

**REPORTS FROM COUNCIL COMMITTEES: (Cont.)**

**Motion by Anderson, second by Randleman to adopt Resolution 09-021, Approving LED Lighting Conversion for Main Street Christmas Light Wreaths-\$2,200.00.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**10.j. Utility Committee Recommendation: Adopt Bright Energy Solutions Program-Craig Randleman**

**Motion by Randleman, second by Cunningham to Adopt Bright Energy Solutions Program.**

**All in favor. 7-0. MCU.**

10.k. Utility Committee Recommendation: Approve MN River Regional Trailhead Project Site Plan Concept – Sheet 6A. The Site Plan (6A) has already been approved. Dorry expressed concern regarding the turnaround in the high-rise driveway. Cunningham reported that residents saw no problem with it if rumble strips and signs are installed. Alternate #1 is the simplest and preferred option.

**10.l. Utility Committee Recommendation: Approve MN River Regional Trailhead Project Sanitary Sewer Service Plan – Alternate 1, Part 1.**

**Motion by Berkner, second by Randleman to Approve MN River Regional Trailhead Project Sanitary Sewer Service Plan – Alternate 1, Part 1.**

**Discussion and questions followed. This option would permit year-around activities. 6-1. Nay: Dorry. Motion carried.**

**10.m. Utility Committee Recommendation: Resolution Authorizing Ulteig Engineers, Inc., to Prepare a Preliminary Engineering Report for Phase One of the Long-Range Street Improvement Plan billed at an hourly rate not to exceed \$10,000.00.**

**Resolution 09-022, Authorizing Ulteig Engineers, Inc., to Prepare a Preliminary Engineering Report for Phase One of the Long-Range Street Improvement Plan billed at an hourly rate not to exceed \$10,000.00.**

**Motion by Cunningham, second by Anderson to adopt Resolution 09-022, Authorizing Ulteig Engineers, Inc., to Prepare a Preliminary Engineering Report for Phase One of the Long-Range Street Improvement Plan billed at an hourly rate not to exceed \$10,000.00.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**UNFINISHED BUSINESS:**

**11.a. City Council Committee Structure-Mayor Blair Johnson**

**Discussion was held regarding the plan to combine the Street & Utility Committees into Infrastructure Committee.**

**Resolution Approving Combining Street Committee and Utility Committee into Infrastructure Committee.**

**Resolution 09-023, Resolution Approving Combining Street Committee and Utility**

**UNFINISHED BUSINESS: (Cont.)**

**Committee into Infrastructure Committee.**

**Motion by Anderson, second by Randleman to adopt Resolution 09-023, Approving Combining Street Committee and Utility Committee into Infrastructure Committee.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Randleman, Cunningham. Nay: Meyer, Dorry, Berkner.**

**4-3. Motion Carried.**

**Discussion was held regarding restructuring the Personnel Committee to consist of 3 voting Council Members with the City Administrator as a non-voting ex-officio Member and creating an Employee Advisory Committee consisting of 2 Department Heads and 3 Non-Supervisory Employees.**

**Resolution Approving Restructuring the Personnel Committee and Creating an Employee Advisory Committee.**

**Resolution 09-024, Approving Restructuring the Personnel Committee and Creating an Employee Advisory Committee.**

**Motion by Cunningham, second by Randleman to adopt Resolution 09-024, Approving Restructuring the Personnel Committee and Creating an Employee Advisory Committee.**

**Discussion and questions followed.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**Creating a Public Safety Committee comprised of the Police Chief, Fire Chief and Ambulance Supervisor, an OAHNS Nurse, One Appointed Citizen and three voting Council Members was discussed. Adding the Big Stone County Emergency Manager was also a suggestion. This was tabled pending further study.**

**Resolution Expanding the Scope of the Budget Committee to include Legislative Issues.**

**Resolution 09-025, Approving Expanding the Scope of the Budget Committee to include Legislative Issues.**

**Motion by Randleman, second by Cunningham to adopt Resolution 09-025, Approving Expanding the Scope of the Budget Committee to include Legislative Issues.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Randleman, Cunningham, Meyer. Nay: Dorry, Berkner.**

**5-2. Motion Carried.**

11.b. 2009 Budget Discussion-Decisions regarding Budget cuts were tabled.

11.c. City Attorney Craig Ash reported that a Closed Meeting was held at the last City Council Meeting on February 2 regarding an allegation against an employee. No action was taken.

**NEW BUSINESS:**

**12.a. Approve Expenditures**

**Motion by Cunningham, second by Randleman to Approve the Expenditures as presented.**

**NEW BUSINESS (Cont.)**

**5-1-1. Nay: Dorry. Abstain: Berkner. MC.**

**12.b. Small Cities Development Grant Program Policies**

**Resolution Adopting Excessive Force Policy**

**Resolution 09-026, Adopting Excessive Force Policy**

*Motion by Cunningham, second by Berkner to adopt Resolution 09-026, Adopting Excessive Force Policy.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**Resolution Adopting Anti-Displacement & Relocation Plan**

**Resolution 09-027, Adopting Anti-Displacement & Relocation Plan**

*Motion by Cunningham, second by Berkner to adopt Resolution 09-027, Adopting Anti-Displacement & Relocation Plan.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**Resolution Adopting Disclosure Report**

**Resolution 09-028, Resolution Adopting Disclosure Report**

*Motion by Cunningham, second by Berkner to adopt Resolution 09-028, Resolution Adopting Disclosure Report.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**Resolution Adopting Drug Free Workplace Policy**

**Resolution 09-029, Resolution Adopting Drug Free Workplace Policy**

*Motion by Cunningham, second by Berkner to adopt Resolution 09-029, Resolution Adopting Drug Free Workplace Policy.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**12.c. Resolution Covenanting and Obligating the City to be Bound by and Use the Provisions of Minnesota Statutes, Section 373.45 to Guarantee the Payment of the Principal and Interest on the Bonds and Authorizing the Execution of the Credit Enhancement Program Agreement.**

**Resolution 09-030, Resolution Covenanting and Obligating the City to be Bound by and Use the Provisions of Minnesota Statutes, Section 373.45 to Guarantee the Payment of the Principal and Interest on the Bonds and Authorizing the Execution of the Credit Enhancement Program Agreement.**

*Motion by Cunningham, second by Randleman to adopt Resolution 09-030, Resolution Covenanting and Obligating the City to be Bound by and Use the Provisions of Minnesota Statutes, Section 373.45 to Guarantee the Payment of the Principal and Interest on the Bonds and Authorizing Execution of the Credit Enhancement Program*

**NEW BUSINESS: (Cont.)**

*Agreement.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**12.d. Resolution Approving Contract with Ehlers & Associates for Continuing Disclosure Reporting Services-OAHS Public Utility Revenue Warrants, Series 2008 and Series 2009, Option 1**

**Resolution 09-031, Resolution Approving Contract with Ehlers & Associates for Continuing Disclosure Reporting Services-OAHS Public Utility Revenue Warrants, Series 2008 and Series 2009, Option 1**

*Motion by Berkner, second by Randleman to adopt Resolution 09-031, Resolution Approving Contract with Ehlers & Associates for Continuing Disclosure Reporting Services-OAHS Public Utility Revenue Warrants, Series 2008 and Series 2009, Option 1.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**12.e. Resolution to Pay off Remaining Principal on Public Utility Revenue Warrants, Series 2003.**

**Resolution 09-032, Resolution to Pay off Remaining Principal on Public Utility Revenue Warrants, Series 2003.**

*Motion by Anderson, second by Cunningham to adopt Resolution 09-032, Resolution to Pay off Remaining Principal on Public Utility Revenue Warrants, Series 2003.*

**Discussion and questions followed.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**12.f. Discussion: Arbitrage Reporting for Reporting Requirements for OAHS Public Utility Revenue Warrants, Series 2008 & Series 2009-Discussion followed.**

**12.g. Golf Course Forward Contracting-Resolution for Forward Contracting for the Golf Course-Spring Diesel 600 Gallons, Summer/Fall Diesel 850 Gallons, Spring Gasoline 525 Gallons, Summer/Fall 850 Gallons, Two Fertilizer Applications**

**Resolution 09-033, Resolution for Forward Contracting for the Golf Course-Spring Diesel 600 Gallons, Summer/Fall Diesel 850 Gallons, Spring Gasoline 525 Gallons, Summer/Fall 850 Gallons, Two Fertilizer Applications**

*Motion by Cunningham, second by Randleman to adopt Resolution 09-033, Resolution for Forward Contracting for the Golf Course-Spring Diesel 600 Gallons, Summer/Fall Diesel 850 Gallons, Spring Gasoline 525 Gallons, Summer/Fall 850 Gallons, Two Fertilizer Applications.*

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**NEW BUSINESS: (Cont.)**

**12.h. Approve Soliciting a Request For Proposal for Residential Sanitation Services Motion by Berkner, second by Anderson to approve Soliciting a Request For Proposal for Residential Sanitation Services.**

**All in favor. 7-0. MCU.**

12. i. Preliminary Engineering Report-Sanitary Sewer Service to Lakeside Park-Update

**12.j. Resolution Approving Southwest Initiative Foundation Request for Support-\$1,600.00.**

**Motion by Cunningham, second by Anderson to adopt Resolution Approving Southwest Initiative Foundation Request for Support-\$1,600.00.**

Discussion and questions followed regarding reducing the \$1600.00 donation due to budget constraints.

**Upon Roll Call Vote the following voted Aye: Johnson, Randleman, Cunningham. Nay: Berkner, Meyer, Dorry, Anderson. Motion failed.**

**Resolution 09-034, Approving Southwest Initiative Foundation Request for Support-\$1,000.00.**

**Motion by Berkner, second by Meyer to adopt Resolution 09-034, Approving Southwest Initiative Foundation Request for Support-\$1,000.00.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**12.k. Resolution Approving Application to the Minnesota Public Facilities Authority for a Loan from the Drinking Water Revolving Fund.**

**Resolution 09-035, Resolution Approving Application to the Minnesota Public Facilities Authority for a Loan from the Drinking Water Revolving Fund.**

**Motion by Berkner, second by Randleman to adopt Resolution 09-035, Resolution Approving Application to the Minnesota Public Facilities Authority for a Loan from the Drinking Water Revolving Fund.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**12.l. Resolution Approving Application to the Minnesota Public Facilities Authority for a Loan from the Clean Water Revolving Fund.**

**Resolution 09-036, Resolution Approving Application to the Minnesota Public Facilities Authority for a Loan from the Clean Water Revolving Fund.**

**Motion by Berkner, second by Randleman to adopt Resolution 09-036, Resolution Approving Application to the Minnesota Public Facilities Authority for a Loan from the Clean Water Revolving Fund.**

**Upon Roll Call Vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 7-0. MCU.**

**CITY CLERK-ADMINISTRATOR REPORTS & RECOMMENDATIONS:**

- 13.a. Update: Small Cities Development Grant Program
- 13.b. Update: Upper MN River Regional Park Improvement Project Grant
- 13.c. Update: Columbian Hotel-Working on Loan from SW Initiative Fund
- 13.d. Ortonville TIF District Creation and Potential TIF Bond Issue-For City & Columbian
- 13.e. Economic Stimulus Information
- 13.f. Capital Improvement Projects
- 13.g. Sanitary Sewer Forcemain Improvements along Big Stone Lake; Street and Utility Improvements on McCloud Street
- 13.h. Water Treatment Plant Performance Optimization
- 13.i. Ortonville Community Development Update
- 13.j. Public Library Innovation Grant Update-Award Announcements
- 13.k. Affordable Housing Forum-Ivanhoe-February 18-David Lang & Vicki Oakes attending
- 13.l. Unicef Replacement-Verizon Wireless
- 13.m. Ambulance-Deer Accident-Vehicle Repair Estimate

**EXECUTIVE SESSION:** (If needed)

**ADJOURNMENT:**

**Motion by Berkner, second by Anderson to adjourn the meeting at 9:45 P.M.**

**All in favor. 7-0. MCU.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Blair Johnson  
Mayor

\_\_\_\_\_  
David A. Lang  
Clerk-Administrator

