

ORTONVILLE CITY COUNCIL MEETING MINUTES
REGULAR MEETING
CITY OFFICE MEETING ROOM
315 Madison Avenue, Ortonville, MN
Monday, March 16, 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 and Steve Berkner. Staff Present: City Administrator David Lang, Deputy Clerk Susan Lundell, Police Officer Jason Mork, City Attorney Craig Ash, Building Inspector Roy Bailey, Golf Course Superintendent, Travis Strasser. Media Present: Mike Swenson (*Ortonville Independent*). Others Present: Bill Radio, Missouri River Energy Services, Bob Schlieman of Ulteig Engineers, Alice Radermacher, Marcy Stotesbery, David Dinnel, Troy Wimmer, Joseph Holm, Penny Baybridge and other interested citizens.

AGENDA AMENDMENTS:

11.a. Motion by Randleman, second by Cunningham *to approve the Agenda as presented.*

All in favor. 7-0. MCU. (Motion carried unanimously)

CITY ATTORNEY REPORTS & RECOMMENDATIONS:

3.a. Healthcare Board Ordinance Update-Attorney Ash-The Ad Hoc Committee is working on the draft of a Healthcare Board Ordinance and it should be ready for review at the next regular council meeting.

RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:

6.a. Presentation-Bill Radio, Missouri River Energy Services-Transmission Service Agreement (T-1) and Facilities Lease Agreement Contract Offers. Refer to Infrastructure Committee

Motion by Berkner, second by Randleman *to refer the Transmission Service Agreement (T-1) and Facilities Lease Agreement Contract Offers from MRES to the Infrastructure Committee for Review.*

All in favor. 7-0. MCU.

6.b. Presentation-Bob Schlieman, Ulteig Engineers

Bob Schlieman of Ulteig Engineers asked the Council to review the following proposed items: 1. McCloud Street Utility and Street Improvements 2. Time Line for Constructing Projects Included in Preliminary Engineering Report Presented Last Meeting 3. Water Treatment Plant Optimization Update

1. McCloud Street Utility and Street Improvements Schlieman presented two options as follows: Option #1: A 22-Foot Rural Section on McCloud Street and Reconstruct Spring Drive, \$503,000.00. Option #2: A 32-Foot Urban Street on McCloud and Reconstruct Spring Drive with 21-Foot Urban Street (Curb and Gutter on Both Sides), \$715,000.00.

RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS: (Cont.)

He stated that the utility improvement, along with any street section disturbed by utility replacement, would be funded by a low interest loan from the MN Public Facilities Authority (PFA). The stimulus package could possibly offer a 10% grant on water and a 5% grant on the sewer portion. Those street portions not affected by utility construction would not be eligible for PFA funding and would have to be bonded for separately. The plan is to assess 30% of most project costs to property owners with the City paying 70%. Committee recommendations regarding the exact allocation of project costs will be forthcoming. Discussion and questions followed.

Resolution Approving Option #2 32-Foot Urban Street on McCloud and Reconstruct Spring Drive with 21-Foot Urban Street with Curb and Gutter on Both Sides-\$715,000.

Resolution 09-044, Approving Option #2 32-Foot Urban Street on McCloud and Reconstruct Spring Drive with 21-Foot Urban Street with Curb and Gutter on Both Sides-\$715,000.

Motion by Cunningham, second by Randleman to adopt Resolution 09-044, Approving Option #2 32-Foot Urban Street on McCloud and Reconstruct Spring Drive with 21-Foot Urban Street with Curb and Gutter on Both Sides-\$715,000.

Upon roll call vote the following voted Aye: Johnson, Anderson, Randleman, Cunningham. Nay: Meyer, Dorry. Abstain: Berkner.

4-2-1. Motion Carried.

2. Time Line for Constructing Projects Included in Preliminary Engineering Report
Ulteig Engineering is working on easements with Big Stone County Assessors Office for street and utility improvements. The City may receive grant money if they qualify under a State formula. \$1.8 million total costs of the projects are included in the Preliminary Engineering Report. The final plans and bid documents should be completed by July 2009. The engineering costs for the projects would be approximately \$150,000.

Resolution Approving Hiring Ulteig Engineering to Complete Plans and Specifications for Street and Utility Improvements-Evergreen Lane, Jackson Avenue, Center Street, Dassel Avenue, Atlantic Avenue, Pomroy Avenue, and Dyer Street.

Resolution 09-045, Approving Hiring Ulteig Engineering to Complete Plans and Specifications for Street and Utility Improvements-Evergreen Lane, Jackson Avenue, Center Street, Dassel Avenue, Atlantic Avenue, Pomroy Avenue, and Dyer Street.

Motion by Berkner, second by Anderson to adopt Resolution 09-045, Approving Hiring Ulteig Engineering to Complete Plans and Specifications for Street and Utility Improvements-Evergreen Lane, Jackson Avenue, Center Street, Dassel Avenue, Atlantic Avenue, Pomroy Avenue, and Dyer Street.

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

5-2. Motion Carried. The need for adopting an assessment policy was discussed.

RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS: (Cont.)**6.c. Presentation- Thermal Imager Camera Grant**

Police Officer Jason Mork reported on the training he received in Washington, D.C. for the new thermal imager camera that was awarded to the City of Ortonville under a Homeland Security Grant. He estimated that the total hardware cost of the unit was \$20,000.00. The net cost to the City for the unit was approximately \$250.00, including travel expenses for training. The unit can be used for search and rescue, pursuits, drug searches, pursuing unauthorized use of electric meters, and other maintenance and safety issues.

CITIZENS TO BE HEARD:

7.a. Penny Baybridge representing the Big Stone Lake Area Forum Website expressed concern that she could not get a free City Council packet from the City Office prior to Council Meetings and that the City will not provide a link to her website on the City's website. After some discussion it was agreed that she could take the Public copy of the packet with her after the Council meetings. Allowing her to have a link of the City's website would set a precedent that the City Council did not want to set.

7.b. Troy Wimmer of the Big Stone Lake Area Hockey Association asked if the local share of the gambling money would remain at 10%. He was assured that it would.

7.c. Joseph Holm, State Director for the Let's Go Fishing Program, stated that 10% of the gambling proceeds would remain with the Big Stone Lake Area Hockey Association.

CONSENT AGENDA:

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

8.b. Approve 2009-2010 Fire Contract-Big Stone Township

8.c. Approve 2009-2010 Fire Contract-Ortonville Township

8.d. Approve 2009-2010 Fire Contract-Yellowbank Township

Council member Dorry asked that items b, c, and d (fire contracts) be taken off the Consent Agenda.

Motion by Anderson, second by Randleman to approve the March 2, 2009 minutes as presented.

All in favor. 7-0. MCU.

Council Member Dorry asked if it was true that the new fire contracts were sent out with a 3% increase in fees without prior Council approval. Clerk-Administrator Lang said that he had mailed them out with a 3% increase as that is what he found other cities were charging. He stated the contracts included the old rate for last year and the increased rate for this year. Berkner asked that in the future the Council receive the contracts in advance thus allowing some feedback from the townships.

Motion by Cunningham, second by Randleman to approve the 2009-2010 Fire Contracts with Big Stone, Ortonville and Yellowbank Townships as presented.

All in favor. 7-0. MCU.

REPORTS FROM COUNCIL COMMITTEES:**10.a. Budget Committee Update-John Cunningham**

Cunningham presented a Budget spreadsheet showing that the Golf Course was profitable in 2005 and 2006 even with funding depreciation, and if depreciation was not counted, last year, in 2007, the Golf Course would have shown a profit in that year as well. Even with funding depreciation of \$43,136 in 2007, the Golf Council lost only \$12,541. Member Dorry stated that records show that the Golf Course lost \$140,000 last year.

10.b. Golf Board Recommendations: Resolution Approving Acceptance of Bids for Clubhouse and Course Repairs-\$14,163.00; Roof Repairs, Raffety Brothers Construction, \$10,250.00; Chimney Repair, Cordes Enterprises, \$1,090.00; handicap ramp concrete, Lundberg Construction, \$625.00; Aluminum Railing, Berger Welding, \$1,298.00; Fence, Berger Welding, \$900.00.

Resolution 09-046, Approving Acceptance of Bids for Clubhouse and Course Repairs-\$14,163.00

Motion by Anderson, second by Randleman to adopt Resolution 09-046, Approving Acceptance of Bids for Clubhouse and Course Repairs-\$14,163.00.

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

All in favor. 7-0. MCU.

10.c. Planning Commission Recommendation: Resolution Approving Hiring Norm Van Overbeke of DSI as Building Official to Meet State Requirements during Interim Process of Review and Request for Proposal-\$57.00/Hr Plus Expenses

Discussion and questions followed. Meyer reported that for sizeable commercial buildings, current Building Inspector Roy Bailey is not qualified to inspect or issue building permits. Meyer stated that the City, on an interim basis, should hire Development Services Inc. (DSI) to handle commercial building permits. Dorry asked if the State did a random visit as the building permit process that the City has been using for years has been working. City Clerk-Administrator reported that the Planning Commission invited someone to look at the process that the City uses. Council Member Berkner stated that he hoped building permit fees would not get too costly as a result of the changes in the process. Dorry expressed concern that the second person listed by DSI as being qualified to do inspections had the same credentials as Roy Bailey. Berkner reported that Community Development Coordinator Vicki Oakes said "we are not even close with what we are to be doing building permit-wise." Lang stated that a report is coming from the State that will explain the regulations regarding building permits.

Resolution 09-047, Approving Hiring Norm Van Overbeke of DSI as Building Official to Meet State Requirements during Interim Process of Review and Request for Proposal-\$57.00/Hr Plus Expenses

Motion by Berkner, second by Cunningham to adopt Resolution 09-047, Approving Hiring Norm Van Overbeke of DSI as Building Official to Meet State Requirements during Interim Process of Review and Request for Proposal-\$57.00/Hr Plus Expenses.

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

6-1. MC.

REPORTS FROM COUNCIL COMMITTEES: (Cont.)

**10.d. Planning Commission Recommendation: Resolution Amending Resolution 09-006 Approving Appointed Officials, Commissions & Boards
Resolution 09-048, Amending Resolution 09-006 Approving Appointed Officials, Commissions & Boards**

Motion by Berkner, second by Meyer to adopt Resolution 09-048, Amending Resolution 09-006 Approving Appointed Officials, Commissions & Boards.

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

6-0-1. MC.

10.e. EDA Board Update: Southern MN Regional Competitiveness Partnership Futures Summit-Craig Randleman provided a brief narrative summary.

UNFINISHED BUSINESS:

11.a. Resolution to Purchase of Front End Loader-\$57,147.00

Resolution 09-049, Approving Purchase of Front End Loader-\$57,147.00

Motion by Cunningham, second by Randleman to adopt Resolution 09-049, Approving Purchase of Front End Loader-\$57,147.00.

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

4-3. MC.

11.b. Approve Lease for Lawful Gambling Activity-Let's Go Fishing at Headwaters Bar & Grill

Motion by Cunningham, second by Randleman to Approve Lease for Lawful Gambling Activity-Let's Go Fishing at Headwaters Bar & Grill.

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:

12.a. Approve Expenditures

Motion by Randleman, second by Berkner to approve the expenditures.

All in favor. 7-0. MCU.

12.b. Resolution Approving Fund Transfer of \$68,000.00 from Electric Fund to General Fund

Resolution 09-050, Approving Fund Transfer of \$68,000.00 from Electric Fund to General Fund

Motion by Cunningham, second by Anderson to adopt Resolution 09-050, Approving Fund Transfer of \$68,000.00 from Electric Fund to General Fund

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

5-2. MC.

NEW BUSINESS: (CONT.)

12.c. Accept Resignation of Police Officer Justin Knowles

Motion by Meyer, second by Randleman *to accept the Resignation of Police Officer Justin Knowles.*

All in favor. 7-0. MCU.

12.d. Resolution Approving Donation to Big Stone County Agriculture Society for 2009 Big Stone County Fair

Discussion and questions followed. Clerk-Administrator Lang will check to see if other cities are donating to the County Fair. Tabled by Council consensus.

12.e. Policy for Providing Complimentary Council Meeting Materials

Discussion and questions followed. It was decided to allow the Big Stone Lake Area Forum to keep the public packet after the Council meeting.

12.f. Approve Larson and Allen Engagement Letter for Single Use Audit-2007-2008 Sanitary Sewer Rehab Project

Motion by Berkner, second by Dorry *to approve Larson and Allen Engagement Letter for Single Use Audit-2007-2008 Sanitary Sewer Rehab Project.*

All in favor. 7-0. MCU.

CITY CLERK-ADMINISTRATOR REPORTS & RECOMMENDATIONS:

12.a.Update: Small Cities Development Grant Program

12.b.Update: Columbian Hotel

12.c.Ortonville TIF District Creation and Potential TIF Bond Issue

12.d.Economic Stimulus Information-Modify, Upgrade, Construct Fire Stations

12.e.Capital Improvement Projects

12.f.Sanitary Sewer Forcemain Improvements along Big Stone Lake; Street and Utility Improvements on McCloud Street

12.g.Public Library Innovation Grant Update-Grant Application Status

12.h.Snow Removal Complaint

12.i. MN Housing Finance Agency-Affordable Housing Financing

12.j. 2009 Proposed Pool Budget Adjustments

12.k.License and Permit Fee Schedule-Alexandria

12.l. 2009-2010 Local Government Aid Update

12.m.Community Fix Up Fund

12.n. MN Association of Small Cities-State of Minnesota Budget Forecast

12.o. 2009 Update: Pool Director Position

12.p. LGA Lobbying Day-Thursday March 26, 2009

12.q. Sanitary Sewer Forcemain Project along Big Stone Lake-Easements

12.r.Federal Stimulus Infrastructure Funding Update

12.s.Pet Vaccination Clinic-Saturday, April 4, 2009, 1-4 PM

12.t. Housing Maintenance Ordinance

12.u. 2009 Current Budget Adjustments

EXECUTIVE SESSION: (If Needed)

ADJOURNMENT:

Motion by Meyer, second by Berkner to adjourn at 9:15 P. M.

All in favor. 7-0. MCU.

APPROVE:

ATTEST:

Blair Johnson
Mayor

David A. Lang
Clerk-Administrator