

**ORTONVILLE CITY COUNCIL MEETING MINUTES**  
**REGULAR MEETING**  
**CITY OFFICE MEETING ROOM**  
**315 Madison Avenue, Ortonville, MN**  
**Monday, April 20, 2009**  
**7:00 P. M.**  
**DRAFT**

**CALL TO ORDER AND ROLL CALL:**

Pro Tem Mayor Nick Anderson called the Regular Meeting of the Ortonville City Council to order at 7:00 P.M. Roll Call was taken with the following present: Nick Anderson, Craig Randleman, Bob Meyer, John Cunningham, Mike Dorry and Steve Berkner. Absent: Mayor Johnson. Staff Present: City Administrator David Lang, Police Chief Curtis Hormann, City Attorney Craig Ash, Public Works Director, Tim Scherer, Golf Course Superintendent Travis Strasser, Community Development Coordinator, Vicki Oakes. Media Present: Julie French (*KDIO*). Police Commission Members: Al Ross and Mary Gustafson. Others Present: OAHS Hospital Administrator Rick Ash, OAHS Finance Director Jim Foster, Hospital Board Members Mary Ann Ulrich, Bill Thyne and Marilyn Lindahl, Librarian Vicki Grimli, Penny Hormann, Elsie Perrine, Terry LaVoi, Scott Simonitch and other interested citizens.

**AGENDA AMENDMENTS:**

**11.b. Columbian Hotel**

**12.e. Schedule City Council Workshop**

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

**All in favor. 6-0. MCU. (Motion carried unanimously)**

**CITY ATTORNEY REPORTS & RECOMMENDATIONS:**

3.a. Acquiring Easements-Sanitary Sewer Forcemain; Utility and Street Improvements-McCloud Street. Attorney Ash is working to come up with the proper documents to present to property owners.

**3.b. First Reading of Ordinance 09-06, An Ordinance Amending Chapter 31.06 of the Administrative Code Pertaining to the Creation, Powers and Duties of the Health Care Board.**

Craig Ash led the discussion regarding this Ordinance. Rick Ash CEO of OAHS stated this is a finalization of a work in progress. In essence this ordinance would allow the Health Care Board to operate in a fashion similar to the manner that it has in the past but now has authorization to do so. The new ordinance states that two City Council Members “shall” be appointed to the Hospital Board rather than “may.” The new Ordinance also puts some limitations of the OAHS Board’s power regarding capital purchases and the Council will have over-riding power over the Health Care Board. Discussion and questions followed.

**Motion by Berkner, second by Randleman to approve the first reading of Ordinance 09-06, An Ordinance Amending Chapter 31.06 of the Administrative Code Pertaining to the Creation, Powers and Duties of the Health Care Board.**

**All in favor. 6-0. MCU.**

**CITY ATTORNEY REPORTS & RECOMMENDATIONS: (Cont.)**

The second reading will take place at the second meeting in May.

**RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:**

**6.a. Gates Foundation Computer Library Grant Information – Vicki Grimli**

Librarian Grimly reported that there are two Phases to the grant program provided by the Gates Foundation. Phase 1 includes a grant in the amount of \$1,950.00 with a Local Share of \$650.00. The second phase includes a \$1,300.00 grant with a Local Share of \$1,300.00. The Pioneerland Library System is expecting that it can purchase more computers than the grant has budgeted. Vicki estimated that libraries getting grant and matching funds may have enough funds to purchase 5 computers for the local library under this program.

Vicki also reported that the Ortonville Library made the final cut under the Library Services and Technology Act Grant Program. Her application was one of 6 grants awarded under the program and it will provide \$48,519.00 for a media center to be built in the basement area of the current library. She stated that construction is to begin in August and completed in September of 2009.

**6.b. OAHS Monthly Presentation - CEO Rick Ash & CFO Jim Foster**

**1. Board Report**

Minutes of March 30, 2009 were presented. Rental of a CT Scanner rather than purchase was discussed. The provider-based clinic has been working well, as is the billing. Concern was expressed regarding the negative impact of the Governor's proposed budget on healthcare in MN and on OAHS directly. Indirect cuts are estimated at \$785,000 and direct cuts are estimated at \$40,000. Financially, OAHS Year To Date is in the top 15% of all Critical Access Hospitals that our auditor audits. The financial condition of the operation is good except for lower than planned CD Rates have skewed the bottom line a bit. Also the Governor's cuts to Minnesota Care Program may cause the Hospital to see more charity care or bad debt. His cuts to Medicaid reimbursements will force an increase in charges to other patients. A Patient Safety Project Award has been received.

**2. Medical Staff Appointments and Reappointments**

Appointment of John Weber, CRNA and reappointment of Teleradiologists Dr. Benjamin Strong, Dr. Jared Browning, Dr. Steven Davis and Dr. Richard Toothman.

**3. Building Project**

Capital Campaign \$1.89 Million pledge dollars out of a goal of \$1.2 Million. Employees have donated \$133,000. There is a recommendation to upgrade to a 12-inch piper helicopter pad. This will be an additional add on to the project on the west end of the building. Infrastructure modifications will need to be reviewed and addressed. \$339,000 contingency used out of a total of \$1 million approximately \$230,000 was to expand the lower level.

**4. Equipment**

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

**6.c. Resolution Approving OAHS Purchase of Omnicell Pharmacy Medication Management System (PMMS) \$149,247.35 and PMMS Emergency Care Unit \$39,300.20**

**Resolution 09-060 Approving OAHS Purchase of Omnicell Pharmacy Medication Management System (PMMS) \$149,247.35 and PMMS Emergency Care Unit \$39,300.20**

*Motion by Dorry, second by Berkner to adopt Resolution 09-060 Approving OAHS Purchase of Omnicell Pharmacy Medication Management System (PMMS) \$149,247.35 and PMMS Emergency Care Unit \$39,300.20. These systems will increase patient safety, reduce double counting narcotics, and will increase staff efficiency.*

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

**All in favor. 6-0. MCU.**

**6.d. Resolution: Approving Rental Agreement Number CI042809 with Winthrop Resources Corporation for a CT Scanner**

**Resolution 09-061 Approving Rental Agreement Number CI042809 with Winthrop Resources Corporation for a CT Scanner**

*Motion by Cunningham second by Meyer to adopt Resolution 09-061 Approving Rental Agreement Number CI042809 with Winthrop Resources Corporation for a CT Scanner.*

**Discussion and questions followed.**

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

**All in favor. 6-0. MCU.**

**CITIZENS TO BE HEARD:**

**7.a. Repair of Underground Utility Line – Dusty Lane - Terry LaVoi**

City Resident Terry LaVoi of 533 Jefferson Avenue (Dusty Lane-Private dead-end lane) stated water was coming out of the ground on his property. The City crew tested the water and it was determined to be City water. He was told by the Public Works Director Tim Scherer that the line was on private property, so it would not be repaired by the City Crew. LaVoie gave Scherer a written “Utility Work Permit” from two private property owners allowing the City access to fix the leak on private property. Discussion and questions followed. It was noted that the water line needs to be fixed and permanent easements will need to be obtained.

**Motion by Berkner to fix the water line now and to proceed to obtain proper easements afterward. Discussion and questions followed. There was no second to the motion. Motion died for lack of a second.**

**Resolution 09-062 Approving Repair of Water Line on Terry LaVoi’s Property located along Dusty Lane, to Obtain Easements for All City Utilities on Said Property.**

**CITIZENS TO BE HEARD: (Cont.)**

**Motion by Cunningham, second by Dorry to adopt Resolution 09-062 Approving Repair of Water Line on Terry LaVoi's Property located along Dusty Lane, to Obtain Easements for All City Utilities on Said Property.**

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

**All in favor. 6-0. MCU.**

**CONSENT AGENDA:**

**8.a. Approve Minutes of City Council Regular Meeting April 6, 2009**

**8.b. Approve Minutes of City Special Meeting April 13, 2009**

**8.c. Approve the Addition of Craig Danielson, Dawn Koch, Robin Johnson and Marle Olson to the Ortonville Ambulance Roster**

**8.d. Approve the Addition of Jason Barse and Alex Johnson to the Ortonville Fire Department Roster**

**8.e. Approve Golf Course Superintendent Recommendation to Hire Isaac Oakes and Shane Howe for General Maintenance Positions and Joshua Zinski for Golf Course Marshall – Golf Step 1 at \$7.23/Hour**

**Remove a. Regular Meeting Minutes of April 6, 2009 and approve b through e.**

Council Member asked that item 8.a. April 6 Regular Meeting Minutes be taken off the Consent Agenda as they were not included in the packet.

**Motion by Dorry, second by Anderson to approve the Consent Agenda items 8.b through 8.e. with item 8.a. removed.**

**All in favor. 6-0. MCU.**

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

**9.a. Street Committee Recommendation: Approve Awarding of 2009 Bids for Materials and Labor for Street and Sidewalk Repairs**

**Resolution 09-063, Accepting the Street Committee Recommendations to Award Bids for the 2009 Season Street and Sidewalk Repairs**

**Motion by Dorry, second by Randleman to adopt Resolution 09-063, Accepting the Street Committee Recommendations to Award Bids for the 2009 Season Street and Sidewalk Repairs**

**Upon roll call vote the following voted Aye: Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 6-0. MCU.**

**9.b. Street Committee Recommendation: To Send a City Council Letter to the Minnesota Department of Transportation Regarding the Condition of Second Avenue (Main Street)**

**Motion by Cunningham, second by Berkner. The Letter will ask that Second Avenue be put on the list of projects to be considered. Discussion and questions followed.**

**RECOMMENDATIONS OF CITIZEN BOARDS, COMMITTEES AND COMMISSIONS: (Cont.)**

**All in favor. 6-0. MCU.**

**REPORTS FROM COUNCIL COMMITTEES:**

10.a. EDA Board – TIF District Creation & Timeline – John Cunningham

TIF District Creation and Timeline will come before the City Council in early to mid-July. Clerk-Administrator Lang will check into whether or not a TIF District will affect Local Government Aids.

Discussion and questions followed.

**UNFINISHED BUSINESS:**

11.a. Police Commission Report – City Attorney Craig Ash

Discussion was led by City Attorney Craig Ash. Dr. Allan Ross, Police Commission Chair, gave an overview of the investigation of the City's charges and allegations against Police Chief Curt Hormann. Ross thanked Police Commission Member Jay Larson for his efforts in obtaining and reviewing documents and meeting with the Ortonville Public School officials regarding March 23<sup>rd</sup> and April 1<sup>st</sup> incidents at the school. Dr. Ross reported that Police Chief Hormann freely and willingly participated in the Police Commission's investigation. Ross stated there was no evidence of wrongdoing on the part of Chief Hormann. There was no abuse of power and no procedures, policies or laws were violated by Chief Hormann in the handling of incidents at the school on March 23 or April 1. He asked that the findings of the Police Commission be put in Chief Hormann's personnel file. Dr. Ross asked that any further investigation cease and desist and commended Police Chief Hormann on his 20 years of service to the City. Dr. Ross asked that all future complaints regarding the Police Department be forwarded immediately to the Police Commission by email or mail. He stated that the Police Commission would meet on a monthly basis to handle any complaints regarding officers or the Police Department in general.

Police Commission Member Jay Larson proceeded to summarize his one-hour meeting with the school officials regarding incidents of March 23, 2009 and April 1, 2009. Council Member Cunningham asked if there was a plan in place so that all involved that need to be involved in such incidents be contacted. Police Chief Hormann replied that there are so many variables in each case that you cannot have a written plan for each possible incident. Council Member Berkner stated that the letter to Police Chief Hormann with the words "allegations and charges" may have been too strong and felt that staff over reacted. He asked if the City should reimburse Police Chief Hormann for his Attorney's fees. Clerk-Administrator Lang reported that he used a template letter commonly used by the League of Minnesota Cities Human Resources Department when advising Minnesota cities that are considering disciplinary issues.

**UNFINISHED BUSINESS:(Cont.)****Police Commission Report** (cont.)

Dr. Ross stated that, "we were quite surprised when the letter came out." None of the Police Commission members knew anything about the issues involved. Council Members Meyer and Cunningham stated that the word "charges" should not have been used in this case. Council Member Meyer stated that he could see why the Police Chief hired an attorney after he received a letter with the word "charges" in it. Chief Hormann stated, "If you hear charges, someone's going to jail." Anderson and Berkner stated that the City Council may consider paying Chief Hormann's defense attorney fees provided they are reasonable.

11.b.Columbian Hotel: Discussion and questions ensued regarding the phased pulling of building permits. First phase: demolition. Council Member Dorry inquired as to whether or not the Columbian Hotel owners are applying for and paying for the appropriate building permits as the construction project proceeds. He also questioned the need for the State Building Code Process in the City of Ortonville. He stated the fees were too high for residents and business owners.

**NEW BUSINESS:****12.a. Approve Expenditures**

**Motion by Cunningham, second by Randleman** to approve the Expenditures as submitted. Council Member Dorry questioned a bill from the Kansas State Bank. It was explained that it was for an asphalt zipper lease. He also questioned a bill from Clerk-Administrator Lang for mileage from Clarkfield to Alexandria and proposed that he bill only from the City Office in Ortonville to destinations from now on.

**4-1-1. Abstain: Berkner. Nay: Dorry. MC.**

**12.b. Resolution Approving 2009 Meander Art Crawl Sponsor Request - \$250.00****Resolution 09-064, Approving 2009 Meander Art Crawl Sponsor Request - \$250.00**

**Motion by Berkner, second by Dorry** to adopt Resolution 09-064, Approving 2009 Meander Art Crawl Sponsor Request - \$250.00.

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

**All in favor. 6-0. MCU.**

**12.c. Resolution Approving Airport 2009 Taxiway & Apron Project Plans and Specifications and Ordering Advertisement for Bids.****Resolution 09-065, Approving Airport 2009 Taxiway & Apron Project Plans and Specifications and Ordering Advertisement for Bids.**

**Motion by Cunningham, second by Berkner** to adopt Resolution 09-065, Approving Airport 2009 Taxiway & Apron Project Plans and Specifications and Ordering Advertisement for Bids.

**Upon roll call vote the following voted Aye: Anderson, Dorry, Meyer, Randleman, Cunningham, Berkner. Nay: None.**

**All in favor. 6-0. MCU.**

**NEW BUSINESS: (CONT.)**

**12.d. Direct City Attorney to Obtain an Easement for Utility Line Repairs Beneath Dusty Lane.**

**Motion by Cunningham, second by Berkner** to Direct City Attorney to Obtain an Easement for Utility Line Repairs Beneath Dusty Lane.

**All in favor. 6-0. MCU.**

12.e. Schedule City Council Workshop-A half an hour workshop will be scheduled prior to the May 4, 2009 Regular Meeting

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

13.a.Update: Small Cities Development Grant Program

13.b.Update: Columbian Hotel

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

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

13.e.Sanitary Sewer Forcemain Improvements along Big Stone Lake; Street and Utility Improvements on McCloud Street

13.f.Library Steps Grant Update

13.g. MN Housing Finance Agency-Affordable Housing Financing

13.h. COPS Hiring Recovery Program

13.i. 2009-2010 Local Government Aid Updates LMC & CGMC

13.j.Sanitary Sewer Forcemain Project along Big Stone Lake-Easements

13.k. Federal Stimulus Infrastructure Funding Update-Regional Resource Fair 04-21-09

13.l. MRES Bright Energy Solutions Rollout-Week of April 20, 2009

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

**Motion by Berkner, second by Randleman** to adjourn the meeting at 9:13 P.M.

APPROVED:

ATTEST:

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

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

