

**ORTONVILLE CITY COUNCIL MEETING MINUTES**  
**REGULAR MEETING**  
**CITY OFFICE MEETING ROOM**  
**315 Madison Avenue, Ortonville, MN**  
**Monday, August 17, 2009**  
**7:00 P.M.**

**CALL TO ORDER AND ROLL CALL:**

Mayor Blair Johnson called the Regular Meeting to order at 7:00 PM. Roll Call was taken with the following present: Mayor Blair Johnson, Nick Anderson, Mike Dorry, Bob Meyer, Bill Powell, Steve Berkner. Absent: Craig Randleman. Staff Present: City Administrator David Lang, Deputy City Clerk Susan Lundell, Interim Police Chief Gary Dinnel, Police Officer Jason Mork, Pool Director Sarah Karels, Community Development Coordinator Vicki Oakes, Planning Commission Member Scott Simonitch. Also: Pat Reismour of Interstate Engineering. Media Present: Mike Swenson (*Ortonville Independent*) and Julie French (*KDIO Radio*). Also Present: Marcy Stotesbery, Alice Radermacher, Mary Gustafson, Don Donais, Becky Parker, Heidi Justison, Dalen and Nathan Roe, Penny BayBridge and other interested citizens.

**AGENDA AMENDMENTS: Add:**

**13.g. AMR Update**

**Motion by Anderson second by Powell to adopt the Agenda as amended.**

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

**RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:**

a. Leslie and DeAnn Kvidera-Purchase of Lot 3, Block 1, Course Air Fourth Addition-Approval of Sale of Lot 3, Block 1, Course Air Fourth Addition to Leslie and DeAnn Kvidera as per Terms set forth in Purchase Agreement.

**Motion by Powell second by Berkner to authorize the Mayor and Clerk Administrator to enter into a Purchase Agreement for the sale of Lot 3, Block 1, Course Air Fourth Addition to Leslie and De Ann Kvidera with the same terms as the sale of Lot 2, Block 1, Course Air Fourth Addition.**

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

b. Patrick Reismour, Interstate Engineering, Inc.-MN River Headwaters Regional Trailhead Project-Lakeside Park

Pat Reismour, Engineer with Interstate Engineering, presented maps showing the layout of the proposed changes to Lakeside Park. He reported the City needed to provide a deed to the Department of Natural Resources (DNR) with a covenant stating that park property will be dedicated for park purposes only. Reismour wants to exclude the road from the cul-de-sac to the parking lot from the covenant and also utility easements. He also stated the next step in the process is to vacate the road. Discussion and questions followed. Only property owners on both sides of the road to be vacated must be notified. This does not include the Big Stone County HRA. Reismour stated the city owns both sides of the road.

**Motion by Berkner second by Anderson to adopt Resolution 09-106 Calling for a Public Hearing for the Purpose of Vacating a Road in Lakeside Park from the Proposed Cul-de-sac to County Road 30.**

**Upon Roll Call vote the following voted Aye: Johnson, Anderson, Meyer, Powell, Berkner. Nay: Dorry.**

**5-1. MC.**

**CITIZENS TO BE HEARD:**

Mary Gustafson testified in support of a variance for a deck constructed by Billie Jo Anderson. She alleges that the deck will not diminish property values of the neighborhood and also that the neighbors do not object to the deck.

Don Donais of Dyer Street stated the last heavy rain washed gravel five feet into his driveway. He asked if the gravel is of a different consistency or quality than what normally is used. Pomroy and Dyer are fourth on the list of projects to do as a next project phase. Clerk Administrator Lang invited Donais to the next Infrastructure Committee meeting.

**CONSENT AGENDA:**

- a. **\*Approve Minutes of City Council Regular Meeting August 3, 2009**
- b. **\*Approve Minutes of City Council Special Meeting August 10, 2009**
- c. **\*Approve Gambling Permit-Big Stone Lake Area Ducks Unlimited at Matador-October 9, 2009**
- d. **\*Big Stone Cruisers Car Club Request to use Otter Tail Property for Annual Car Show-Saturday, August 22, 2009**

**Motion by Berkner second by Powell to approve the Consent Agenda as presented.**

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

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

a. **Police Committee Recommendation: Approve Resolution Approving Hiring Jason Mork as Ortonville Police Chief on a 1-Year Probationary Basis at Grade 9, Step 8. Motion by Meyer second by Dorry to approve Resolution 09-107 Approving Hiring Jason Mork as Ortonville Police Chief on a 1-Year Probationary Basis at Grade 9, Step 8.**

Discussion and questions followed. There were 11 applicants and the top 3 candidates were considered. Jason was the most qualified and the preferred candidate.

**Upon Roll Call vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Powell, Berkner. Nay: None.**

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

b. **Police Committee Recommendation: Approval of Advertising Internally to fill the Vacant Full-Time Position Created by the Promotion of Police Officer Jason Mork to Police Chief.**

**Motion by Anderson second by Meyer** to advertise internally to fill the vacant Full-Time Position created by the Promotion of Police Officer Jason Mork to Police Chief.

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

**c. Infrastructure Committee Recommendation: Approve Soliciting Bids for a 2009 Bond Issue for \$1M to \$2M for Street Improvements to Jackson Street from the Courthouse to the Skating Rink, Evergreen Lane, Madison Avenue from Third Street to the Catholic Church**

**Motion by Powell second by Anderson** to refer this to the Budget Committee.

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

**d.Planning Commission Recommendation: Variance Denial for Billie Jo Anderson**  
City Attorney Craig Ash indicated this could be tabled.

**Motion by Dorry second by Meyer** to table the variance denial for Billie Jo Anderson based upon her request for a continuance.

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

**e.Infrastructure Committee Recommendation: Resolution Approving Hiring Ulteig Engineers Inc. to Complete an Electric Arc Flash Study-\$10,500.00 and to Complete an Electrical Distribution Study-\$21,500.00.**

Council Member Anderson led the discussion.

**Motion by Berkner second by Anderson** to adopt Resolution 09-108 Approving Hiring Ulteig Engineers Inc. to Complete an Electric Arc Flash Study-\$10,500.00.

**Upon Roll Call vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Powell, Berkner. Nay: None.**

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

**Motion by Berkner second by Anderson** to adopt Resolution Approving Completion of Electrical Distribution Study-\$21,500.00

Discussion and questions followed.

**1-5. Aye: Johnson. Nay: Anderson, Dorry, Meyer, Powell, Berkner. Motion failed.**

**f.Resolution Authorizing an Increase of an Average of 8.0% in Electric Rates Effective January 1, 2010 as per the 2008 Electric Rate Study**

Discussion and questions followed.

**Motion by Dorry second by Powell** to refer the proposed electric rate increase to the Budget Committee.

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

#### **REPORTS FROM COUNCIL COMMITTEES:**

a. Budget Committee Report-Mayor Blair Johnson

Mayor Blair Johnson reported the Budget Committee would meet soon to put together a preliminary budget.

#### **NEW BUSINESS:**

**a. Approve Expenditures**

**Motion by Anderson second by Powell** to approve the Expenditures.

**5-0-1. Abstain: Berkner. MC.**

**b. Resolution Approving Purchase of 30 new Structure Fire Fighting Helmets for Fire Department-\$5,300.00**

*Motion by Berkner second by Meyer to adopt Resolution 09-109 Approving Purchase of 30 new Structure Fire Fighting Helmets for Fire Department-\$5,300.00.*

**Upon Roll Call vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Berkner. Nay: Powell.**

**5-1.MC.**

**b. Resolution Approving Floor Repair at Ambulance Garage-\$3,000.00**

*Motion by Anderson second by Dorry to adopt Resolution 09-110 Approving Floor Repair at Ambulance Garage-\$3,000.00.*

Discussion and questions followed. Council Member Powell stated this should be paid for with fundraisers.

**Upon Roll Call vote the following voted Aye: Johnson, Anderson, Dorry, Meyer, Berkner. Nay: Powell.**

**5-1.MC.**

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

- a. Update: Small Cities Development Grant (SCDG) Program
- b. MRES Bright Energy Solutions
- c. Notice of Filing for 2009 Municipal Election-August 25 through September 8
- d. Free Entrepreneur Training Sessions-UMVRDC
- e. Development District No. 1 and proposed establishment of TIF District No. 1-3
- f. MN River Headwaters Regional Trailhead Update
- g. AMR Update-Projected Use with September 1 Billing

**ADJOURNMENT:**

**Motion by Berkner second by Powell to adjourn at 7: 43 PM.**

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

APPROVE:

ATTEST:

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Blair Johnson  
Mayor

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David A. Lang  
Clerk-Administrator