

**ORTONVILLE CITY COUNCIL MEETING MINUTES**  
**REGULAR MEETING**  
**CITY OFFICE MEETING ROOM**  
**315 Madison Avenue, Ortonville, MN**  
**Monday, September 21, 2009**  
**7:00 P.M.**

**CALL TO ORDER AND ROLL CALL:**

Mayor Blair Johnson called the Regular Council Meeting to order at 7:00 P.M. Roll Call was taken with the following present: Mayor Blair Johnson, Nick Anderson, Steve Berkner, Mike Dorry, Bob Meyer, Bill Powell, Craig Randleman. Staff Present: City Administrator David Lang, Police Chief Jason Mork, City Attorney Craig Ash. Media Present: Mike Swenson (*Ortonville Independent*). Also Present: Tom Scoblic.

**AGENDA AMENDMENTS:**

**Add 3.b. Minor Subdivision Ordinance**

**Add 3.c. Twin Home Ordinance**

**Add 9.j. Infrastructure Committee**

**Omit 10.c. Electric Utility costs**

**Add: 12.d. Offer of Assistance from SEH to explore funding sources**

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

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

**CITY ATTORNEY REPORTS & RECOMMENDATIONS:**

**a. Infrastructure Committee Recommendation: Approve First Reading of Ordinance to Establish a Charge for the Availability of Water and Sewer Services Pursuant to MN. STAT. 444.075**

City Attorney Ash explained that this ordinance would clarify some existing ambiguities by specifically stating that minimum charges may be imposed for the availability of water service and sewer service for all premises abutting on streets or other places where the City water pipes and sewer pipes are located. Discussion and questions followed, especially regarding the definition of premises. It was noted that premises would be defined as an inhabitable dwelling or a water-using business. The City Attorney was requested to provide clarification of the wording between the first and second reading of the Ordinance.

**Motion by Randleman second by Berkner to approve the first reading of Ordinance to Establish a Charge for the Availability of Water and Sewer Services Pursuant to MN. STAT. 444.075.**

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

**6-1. MC.**

**b. Planning and Zoning Commission Recommendation: Minor Subdivision Ordinance**

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

Craig Ash explained that this Ordinance would clearly provide for the situation in which one lot to be divided into two smaller lots in the case where there are no City infrastructure changes or improvements required. This process will avoid the need for a complete re-platting of the affected parcels as is currently required under our existing Ordinances. Discussion and questions followed

**Motion by Anderson second by Berkner to approve the first reading of the Minor Subdivision Ordinance.**

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

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

**c. Planning and Zoning Commission Recommendation: Twin Home Ordinance**

Craig Ash explained that this Ordinance will allow twin home housing within existing R-2 Districts. He noted that this Ordinance was required to enable the party wall of each twin home to be a portion of the lot line of each property without a setback requirement. He stated that each residence owner would own his or her own lot with a minimum area of 6,000 square feet. Discussion and questions followed.

**Motion by Anderson second by Powell to approve the first reading of the Twin Home Ordinance.**

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

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

**CITIZENS TO BE HEARD: None.**

**CONSENT AGENDA:**

**a. Approve Minutes of City Council Special Meeting September 14, 2009**

**b. Approve Hiring Tim Thompson as Fire Fighter**

**Motion by Randleman second by Powell to approve Item a., Approval of Minutes of City Council Special Meeting of September 14, 2009, and Item b., Approve Hiring of Tim Thompson as a Fire Fighter.**

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

**c. Approve Minutes of City Council Regular Meeting September 8, 2009**

It was noted that the proposed preliminary 2010 Budget includes a 5% increase in electric rates for 2010, rather than the 8% increase indicated in the second paragraph of Page 1.

**Motion by Dorry second by Meyer to approve the minutes of the City Council Regular Meeting of September 8, 2009 as amended.**

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

**d. Approve Minutes of City Council Workshop Meeting September 8, 2009**

It was noted that the first sentence in the first paragraph at the top of Page 2 should be amended to indicate that the management of the Small Cities Development Grant Program was turned over to a consultant due to the complexity of the project, as well as the volume of paper work required.

**CONSENT AGENDA: (Cont.)**

**Motion by Berkner second by Randleman to approve the minutes of the City Council Regular Meeting of September 8, 2009 as amended.**

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

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

**a. Infrastructure Committee Recommendation: Resolution to Purchase 1000' of LED Lights at \$2.37/Foot from Temple Display-\$2,370.00**

**Motion by Randleman second by Anderson to adopt Resolution to Purchase 1000' of LED Lights at \$2.37/Foot from Temple Display-\$2,370.00.** Discussion and questions followed. **Tabled by consensus of the Council.**

**b. Infrastructure Committee Recommendation: Begin Preliminary Discussion with Big Stone County and its GIS Vendor Pro West Associates to Create Our Own Interface with Big Stone County GIS System.**

Nick Anderson led the discussion of this item. He noted that Big Stone County has made a good deal of progress with its GIS in the past year. All section corners, parcel data and plat information has been entered. Indicating that there is a cost to this, Anderson feels that the City of Ortonville is not ready for this yet. He noted that in-house staff needs to be able to embrace the GIS system capability and frequently input data into the system. When and if the City proceeds, it would be preferable to use the same consultant utilized by Big Stone County. Discussion and questions followed. **Tabled by consensus.**

**c. Infrastructure Committee Recommendation: Obtain Underground Utility Easements for Dusty Lane and Declare that Dusty Lane is to Remain a Private Road**

Nick Anderson also led the discussion of this item. He believes that the City needs to obtain an easement and take control of the underground water and sewer mains under Dusty Lane. It was suggested that the City would have no responsibility for the street itself because the street is private. Discussion and questions followed. The question was raised regarding whether or not it was prudent to take responsibility for the street at the same time that easements for the underground utility mains are obtained. In the end, the Council determined to table the matter for now.

**Tabled By Consensus of the City Council.**

**d. Infrastructure Committee Recommendation: Resolution Approving Repayment to Big Stone County for Overcharges for Court House Sewer Charges-\$14,383.64**

**Motion by Berkner second by Powell to adopt Resolution Approving Repayment to Big Stone County for Overcharges for Court House Sewer Charges Going Back 36 Months to July 2006, rather than the full \$14,383.65 Requested by Big Stone County.**

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

Discussion and questions followed. A number of years ago, the new water meter was installed on the irrigation system instead of on the Court House. As a result, the County incurred costs for sewer charges on all of the lawn irrigation water. The Council asked the City Administrator to verify that this amount was correct.

**Roll Call: Aye: Johnson, Powell, Randleman and Berkner. Nay: Anderson, Dorry and Meyer.**

**4-3. MC.**

**e. Park Board Recommendation: Resolution Approving Ice Rink Warming House Roof Replacement-\$11,399.66**

**Motion by Anderson second by Randleman to adopt Resolution 09-118, Approving Ice Rink Warming House Roof Replacement Contract With Rafferty Brothers. LLC - \$11,399.66**

Discussion and questions followed. It was noted that only a single written bid was received.

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

**6-1. MC.**

**f. EDA Recommendation: Approve Working Through BSAG to Apply for RBEG Funds to Establish County-Wide Revolving Loan Fund Provided First \$35,000.00 Loan Payment to be Paid to City Sewer Pond Replacement Fund**

**Motion by Randleman second by Powell to adopt Resolution 09-119, Approving Working Through BSAG to Apply for RBEG Funds to Establish County-Wide Revolving Loan Fund Provided the First \$35,000.00 Loan Repayment to be Paid to the City Sewer Pond Replacement Fund.** Discussion and questions followed.

**Roll Call: Aye: Randleman, Powell, Anderson, Johnson. Nay: Meyer and Dorry. Abstain: Berkner**

**4-2-1. MC.**

**g. Airport Board Recommendation: Resolution Approving Additional 26 Hours Paid to Airport Manager Todd Verheul for Increased Workload during 2009 Airport Taxiway and Apron Construction**

**Motion by Dorry second by Meyer to Adopt Resolution 09-120, Approving An Additional 26 Hours be Paid to Airport Maintenance Manager Todd Verheul for Increased Workload During 2009 Airport Taxiway and Apron Construction.** Discussion and questions followed.

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

**7-0. MCU.**

**h. Airport Board Recommendation: Resolution Setting \$3.00 Per Day Aircraft Tie-Down Fee**

**Motion by Anderson second by Berkner to Adopt Resolution 09-121, Approving a \$3.00 Per Day Aircraft Tie-Down Fee.**

**Upon Roll Call vote the following voted Aye: Berkner, Randleman, Powell,**

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

**Meyer, Dorry, Anderson, Johnson. Nay: None.**

**7-0. MCU.**

**i. Airport Board Recommendation: Resolution Setting \$5.00 Per Loaded Take-Off for Aerial Spraying Operators Not Purchasing Fuel**

**Motion by Meyer second by Berkner to Adopt Resolution 09-122, Approving a \$5.00 Fee Per Loaded Take-Off for Aerial Spraying Operators Not Purchasing Fuel.**

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

**7-0. MCU.**

**j. Infrastructure Committee Membership & Member Selection**

Due to a Council resignation during the second quarter, the Infrastructure Committee has operated with two members. Mayor Johnson asked for a volunteer to serve on the Committee. Bill Powell volunteered to become the new Infrastructure Committee member.

**Motion by Randleman second by Berkner to approve the nomination and appointment of Bill Powell as a member of the Infrastructure Committee.**

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

**REPORTS FROM COUNCIL COMMITTEES:**

a. Infrastructure Committee Report – MRES Fall Regional Meeting & Big Stone II Status. Craig Randleman noted the upcoming MRES Regional Meeting in Alexandria on October 23, 2009, and also updated the Council regarding the consortium status on the Big Stone II Project.

b. Infrastructure Committee Report – T-1 Agreement and Facilities Lease Agreement. Nick Anderson stated that 24 of the 57 members agreed to join both the T-1 Agreement and the Facilities Lease Agreement arrangements. As a result, neither initiative will proceed at this time.

c. Infrastructure Committee Report – 2010 Electric Utility Operation Costs. Nick Anderson stated that additional information regarding 2010 electric rates is being obtained from our rate analyst at MRES, and this matter will be considered during the fourth quarter of this year.

d. Heritage Preservation Commission Report – Craig Randleman noted that the HPC has received its first actual application for review in the downtown historic district under the guidelines adopted earlier this year. Discussion and questions followed regarding the benefits of historic preservation guidelines. Randleman and Burt Nypen represented Ortonville at the recent Minnesota State Historic Preservation Conference.

e. EDA Board Report – Mayor Johnson urged all Council members to attend the upcoming Leading By Example Summit in October in Marshall sponsored by the SW MN Initiative Foundation.

f. Library Media Center Update - Bob Meyer indicated that the Media Center

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

improvements to Library lower level are proceeding well, and that applications for a half-time coordinator funded by the grant are being sought.

**NEW BUSINESS:**

**a. Approve Expenditures**

**Motion by Randleman second by Meyer to approve the Expenditures as presented.**

**6-0-1. Abstain: Berkner. MC.**

**b. Resolution Approving Window Replacement at Ambulance Garage-\$3,696.00**  
Ambulance Director Tom Scoblic presented the reasons for the work and the two bids.

**Motion by Anderson second by Dorry to adopt Resolution 09-123, Approving Window Replacement at Ambulance Garage-\$3,696.00.**

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

**7-0. MCU**

**c. Resolution Accepting Resignation of Ambulance Director Tom Scoblic after 21 Years of Service.** The other three Ambulance board members have offered to take over the Director duties after October 1, 2009.

**Motion by Dorry second by Berkner to adopt Resolution 09-124 Accepting Resignation of Ambulance Director Tom Scoblic after 21 Years of Service.**

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

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

**d. Offer of Assistance from Mike Kramer of SEH, Inc.**

An offer to come to a Council Meeting at no cost to the City for a brain-storming session. The Council will wait until after the City Council election.

**CITY CLERK-ADMINISTRATOR REPORTS & RECOMMENDATIONS**

a.Update: Small Cities Development Grant (SCDG) Program

b.MRES Bright Energy Solutions

c.Tax Increment Financing Update: Schedule of Events

d.Billie Jo Anderson Deck Variance Denial-Factual Clarification

e.Discussion-Sales & Use Tax For Community Development Purposes

f.Trailhead Project-Public Hearing Regarding Street Closure and Corrected Street Name

**ADJOURNMENT:**

**Motion by Anderson second by Randleman to adjourn the meeting at 8:48 P. M.**

APPROVE:

ATTEST:

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

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