

**ORTONVILLE CITY COUNCIL MEETING MINUTES**  
**REGULAR MEETING**  
**CITY OFFICE MEETING ROOM**  
**315 Madison Avenue, Ortonville, MN**  
**Monday, October 5, 2009**  
**7:00 P.M.**

**CALL TO ORDER AND ROLL CALL:**

Mayor Blair Johnson called the Regular City Council Meeting to order at 7:00 P.M. Roll Call was taken with the following present: Mayor Blair Johnson, Steve Berkner, Mike Dorry, Bob Meyer, Bill Powell, Craig Randleman. Absent: Nick Anderson. Staff Present: Deputy City Clerk Susan Lundell, City Attorney Craig Ash, Pool Director Sarah Karels, Community Development Coordinator Vicki Oakes. Media Present: Julie French (*KDIO*). Also Present: OAHS CEO Rick Ash, OAHS Finance Director Jim Foster, Marcy Stotesbery, Alice Radermacher, Mel Ehlert, Si Ulrich, Nancy Lee, Jack Hormann, Mary Beling, Leon Schmieg, Bruce and Evie Swigerd, Ted Eifealtdt, Dalen Roe, Kippy Randleman, Becky Parker, Kari Dorry, LaValle Berkner, Scott Nelson, Rosanna Callahan, David Dinnel and other interested citizens.

**AGENDA AMENDMENTS:**

**Add:**

12.f. Removal of Trees in Public Right of Way

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

**All in favor. 6-0. Motion Carried Unanimously. (MCU)**

**CITY ATTORNEY REPORTS & RECOMMENDATIONS:**

**a. Infrastructure Committee Recommendation: Approve Second Reading of Ordinance to Establish a Charge for the Availability of Water and Sewer Services Pursuant to MN. STAT. 444.075.** City Attorney Ash presented an Amended Version of the Ordinance.

**Motion by Randleman, second by Powell to approve the Second Reading of An Ordinance to Establish a Charge for the Availability of Water and Sewer Services Pursuant to MN. STAT. 444.075 and to Adopt Ordinance No. 09-09 An 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: Johnson, Meyer, Powell, Randleman, Berkner. Nay: Dorry.**

**5-1. MC.**

**b. Approve Second Reading of Ordinance Vacating A Portion of an Unnamed Street Adjacent to Lakeside Park.** Deferred until after the Public Hearing.

**c. Approve Second Reading of Minor Subdivision Ordinance**

**Motion by Dorry second by Berkner to Approve Second Reading of Minor Subdivision Ordinance and to Adopt Ordinance No. 09-10 Adopting A Minor Subdivision Ordinance.**

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

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

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

**d. Approve Second Reading of Twin Home Ordinance**

**Motion by Randleman second by Dorry to Approve Second Reading of Twin Home Ordinance and to Adopt Ordinance No. 09-11 Adopting A Twin Home Ordinance.**

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

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

**PUBLIC HEARING:**

**a. Vacation of A Portion of an Unnamed Street Adjacent to Lakeside Park**

This Hearing was called to give the Public an opportunity to comment on the proposed vacation of a portion of an unnamed street adjacent to Lakeside Park. Petitions for and against the vacation were presented. Concerns were expressed regarding spending money on a Park project in poor economic times, traffic problems by Lakeside Apartments, pedestrian safety, snow removal in a cul-de-sac, fire protection, LGA cuts and upkeep costs. Others testified that this project was approved by the Senate Bonding Committee as it seemed like a good fit with the Trail project. Randleman stated that State Officials viewed the Park project as a real step forward for the community and region and offered to pay ½ the estimated cost of \$258,000.00. It was estimated that after in-kind expenses and donations from other groups were counted, the City would have to pay \$60,000.00 to \$70,000.00 out of City funds. The playground will be fenced for safety purposes. Craig Ash stated that the development of the Park could help with the recruitment of hospital employees.

Mayor Blair Johnson closed the Hearing at 7:44 P. M. The Mayor reconvened the regular Council meeting.

**Motion by Randleman second by Berkner to Approve Second Reading of Ordinance Vacating A Portion of an Unnamed Street Adjacent to Lakeside Park and to adopt an Ordinance Vacating a Portion of an Unnamed Street Adjacent to Lakeside Park.**

Discussion and questions followed.

**Upon Roll Call Vote the following voted Aye: Johnson, Powell, Randleman, Berkner. Nay: Dorry, Meyer. 4-2. Motion Failed.**

**RECOGNITIONS/PRESENTATIONS/INTRODUCTIONS:**

a.OAHS Administrator, Rick Ash, gave the September Report. He presented a Financial Plan for OAHS for fiscal year ending September 30, 2010 and also gave a report on the August 2009 financials.

b.Sanford Representatives-Sanford Health Network IS Agreement. The Agreement will come before the City Council for approval at the next regular Council meeting.

c.Pat Reismour-Deed with Restrictions-Lakeside Park. Motion failed to continue with the project.

**CITIZENS TO BE HEARD:**

None.

**CONSENT AGENDA:**

**a. Approve Minutes of City Council Regular Meeting September 21, 2009**

These minutes were incomplete and will be considered for approval at the next regular Council meeting.

**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 Dorry to adopt Resolution 09-125, Approving Purchase of 1000' of LED Lights at \$2.37/Foot from Temple Display-\$2,370.00.*

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

**4-2. MC.**

**b. Infrastructure Committee Recommendation: Resolution Approving Repayment to Big Stone County for Overcharges for Court House Sewer Charges-\$14,756.76**

*Motion by Berkner second by Powell to adopt Resolution 09-126, Approving Repayment to Big Stone County for Overcharges for Court House Sewer Charges-\$14,756.76.*

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

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

**NEW BUSINESS:**

**a. Approve Expenditures**

*Motion by Dorry second by Randleman to approve the Expenditures as presented with one amendment; charge Heritage Preservation Fund for Council Member Randleman's mileage claim rather than the Mayor and Council Fund.*

**4-0-2. Abstain: Randleman, Berkner. MC.**

**b. Call for a Public Hearing for Wellhead Protection Plan-Monday, November 16, 2009**

*Motion by Randleman second by Berkner to Call for a Public Hearing for Wellhead Protection Plan on Monday, November 16, 2009 at 7:00 P. M.*

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

**c. Appoint Election Judges-City Election-November 3, 2009**

*Motion by Berkner second by Randleman to appoint the following people as Election Judges for the 2009 City Election: Bob Dybvig, Ethel Swenson, Frances Fridgen, Kathy Oakes, Marilyn Jurgens, Kim Sykora, LaVon Gerber, Doris Scheff, Diane Cornelisen, Linda Krogsrud, David Lang.*

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

**NEW BUSINESS: (Cont.)**

**d. Vacating Dakota Avenue and Kline Avenue Request-Refer to Infrastructure Committee**

**Motion by Berkner second by Powell** *to refer the request to vacate Dakota Avenue and Kline Avenue to the Infrastructure Committee.*

**NEW BUSINESS (Cont.)**

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

**e. Resolution Approving Non-Conservation Land for Public Auction or Auction to Adjacent Owners or Request a Conveyance to your City for Public Use**

**Motion by Berkner second by Powell** *to adopt Resolution 09-127, Approving Requesting Conveyance of Non-Conservation Land to the City for Public Use.*

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

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

**f. Tree Removal in Public Right of Way**

**Motion by Berkner second by Randleman** *to refer to the Tree Board the need for a policy for tree removal in the public right of way.*

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

**ADJOURNMENT:**

**Motion by Dorry second by Randleman** *to adjourn the meeting at 8:20 P. M.*

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

APPROVE:

ATTEST:

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Blair Johnson  
Mayor

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David A. Lang  
Clerk-Administrator