

COUNCIL MEETING MINUTES
Library Media Center
412 2nd Street NW, Ortonville, MN
Tuesday, February 16, 2021
5:00 P.M.

CALL TO ORDER AND ROLL CALL: Mayor Hausauer called the meeting to order at 5:00 P. M. Roll Call was taken with the following present: J. Dorry, Sykora, M. Dorry, Berger, Radermacher and Karels. Absent: None. Staff present: Deb Ellingson, Char Grossman, Jason Mork, Scott Huizenga, Sam Berger and Jesse Roscoe. Media: Mike Swenson. Other: Bob Schlieman and Bill Powell.

AGENDA AMENDMENTS: None.

PUBLIC PARTICIPATION AND CORRESPONDENCE:

4.a. Bob Schlieman-Underground Utility & Surface Improvements Facilities Plan
Apex Engineer, Bob Schlieman, discussed with the council that a facilities plan must be completed to be able to receive funding from the Minnesota Public Facilities Authority for infrastructure improvements. The facilities plan requires that a Preliminary Engineering Report, an Environmental Worksheet, conduct a Public hearing and a resolution.

Berger moved and Radermacher seconded that the following Resolution be adopted:

RESOLUTION 21-12
CITY OF ORTONVILLE, MINNESOTA
RESOLUTION APPROVING AND ADOPTING FACILITY PLAN FOR
Fourth Street NW, Fourth Street SE, Washington Avenue, Orchard Street, Park Avenue,
Stephens Avenue, Center Street, Eastvold Avenue, Otto Avenue, Roy Street, McCloud
Street, Saratoga Street, Bay Avenue, and Greenwood Avenue Underground Utility and
Street Improvements

WHEREAS, pursuant to authorization of the council, a Preliminary Engineering Report has been prepared by Apex Engineering Group, Inc. with reference to making utility and street improvements to the following areas:

- Fourth Street SE (Jackson Avenue to Lincoln Avenue)
- Fourth Street NW (Monroe Avenue to Jackson Avenue)
- Fourth Street NW (Pacific Avenue to Washington Avenue)
- Washington Avenue (Third Street to Fourth Street)
- Pacific Avenue (4th Street to Cliff Street)
- Orchard Street (Pacific Avenue to Stephens Avenue)
- Park Avenue (Cliff Street to Orchard Street)
- Stephens Avenue (Cliff Street to Minnesota Street)
- Center Street (Osen Avenue to Mark Drive)

- Eastvold Avenue (Roy Street to Orchard Street)
- Roy Street (Eastvold Avenue to Otto Avenue)
- Otto Avenue (Highland Highway to Orchard Street)
- McCloud Street
- Saratoga Street
- Bay Avenue
- Greenwood Avenue

WHEREAS, a Public Hearing at which the Preliminary Engineering Report with reference to making utility and street improvements to areas listed above was presented and discussed, was held on February 16, 2021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ORTONVILLE, MINNESOTA:

1. Hereby approves and adopts the Preliminary Engineering Report with reference to making utility and street improvements to the areas listed above as the Facility Plan for said project.

Upon roll call vote the following voted Aye: J. Dorry, Sykora, M. Dorry, Hausauer, Berger, Radermacher and Karels. Nay: None.

Resolution 21-12 passed this 16th day of February, 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

CONSENT AGENDA:

Mayor Hausauer asked if there were any additions, corrections, or deletions to be made to the Consent Agenda:

A motion was made by Sykora and seconded by Karels and passed unanimously to approve the Consent Agenda as presented.

6.a.*Approve Minutes Regular Council Meeting 2/1/21

PUBLIC HEARINGS:

7.a. None

ACCEPTANCE OF BOARD AND COMMITTEE MINUTES AND, WHERE NECESSARY, COUNCIL ACTION ON THEIR RECOMMENDATIONS:

8a.*Planning & Zoning Meeting Minutes 2/2/21

8.a.1. Resolution Approving Variance Request-Becky & Jerry Parker

Radermacher moved and Berger seconded that the following Resolution be adopted:

**RESOLUTION 21-13
RESOLUTION OF THE CITY OF ORTONVILLE
APPROVING THE VARIANCE REQUEST OF JERRY & BECKY PARKER**

WHEREAS, Jerry & Becky Parker (the “Applicant”) has made application for a variance under Section 150.092 of the Zoning Ordinance;

WHEREAS, Section 150.092 (B) (1) (d) (2) of the Zoning Code requires a structure setback of 20 feet from the right of way of a township road, public street, alleys or street and;

WHEREAS, the application requests that the Applicant be granted a variance from Section 150.092 (B) (1) (d) (2) of the Zoning Code to allow the Applicant to construct a garage attached to the house; and

WHEREAS, the subject property is legally described as:

Sect-05, Twp-121, Range-46, and; 1st Addition to Lakeshore Drive, Lot 10, Big Stone County, Minnesota

WHEREAS, all required public notices and notices to landowners were properly published and sent; and

WHEREAS, the Board of Adjustment and Appeals conducted a public hearing on the variance application on February 2, 2021;

WHEREAS, the Board of Adjustment and Appeals has adopted Findings of Fact and has recommended approval of the variance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORTONVILLE, MINNESOTA, as follows:

1. The Findings of Fact of the Ortonville Board of Adjustment and Appeals dated February 16, 2021, regarding this matter are hereby fully adopted by the City Council and incorporated herein by reference.
2. The variance request of Jerry & Becky Parker is hereby granted;

Upon roll call vote the following voted Aye: J. Dorry, Sykora, M. Dorry, Hausauer, Berger, Radermacher and Karels and the following voted Nay: None.

Resolution 21-13 passed this 16th day of February, 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

8.a.2. Recommendation of Second Reading of Renewable Energy Ordinance 21-02

Berger moved and Karels seconded that the following Resolution be adopted:

RESOLUTION 21-14
SUMMARY OF ORDINANCE 21-02 REGULATING ON-SITE RENEWABLE ENERGY
SYSTEMS WITHIN THE CITY OF ORTONVILLE

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Ortonville, Minnesota to approve the adoption of Ordinance 21-02, an ordinance that focuses on solar systems and geothermal ground-source heat pumps which are located on the site for which the generation of energy will be used, with excess energy distributed into the electrical grid.

Upon roll call vote the following voted Aye: J. Dorry, Sykora, M. Dorry, Hausauer, Berger, Radermacher and Karels. Nay: None.

Resolution passed this 16th day of February 2021.

This Ordinance shall be in effect 30 days after publication.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

Ordinance 21-02 may be seen in its entirety in the City Clerk's Office during regular office hours and will be posted on the City's website once the 30 days after publication period has expired.

Published: February 23, 2021

8.b.*Library Board Meeting Minutes 1/26/21

STAFF REPORTS:

Sam reported that they had a water main break over the weekend with very cold temperatures to deal with on Highland Highway. Frost was approximately 5 feet down. Char also reported that the city office received a news release from Missouri River Energy Services to be prepared

for unexpected outages as record low temperatures continue to cause surges in energy use. She asked for everyone to conserve on energy uses.

NEW BUSINESS:

10.a. 1st Reading-Transfer of Johnson Property to School

10.b. Approve the Construction Manager at Risk subject to execution of construction contracts.

Radermacher moved and Berger seconded that the following Resolution be adopted.

**RESOLUTION 21-15
RESOLUTION ADOPTING CONSTRUCTION MANAGER AT
RISK AGREEMENT WITH HASSLEN CONSTRUCTION**

WHEREAS, The City of Ortonville (the “City”) is exploring the feasibility of reconstructing a Fire/Police Safety building; and:

WHEREAS, the City Council has determined that the Construction Manager at Risk Services Agreement is in the best interest of the City; and

WHEREAS, the City enter into a contract with Hasslen Construction in the form of a Consensus Documents Standard Agreement with modification recommended by the City Attorney provided the pre-construction service fees are limited to \$7,500.00 and the construction phase construction manager fee based on 4-month schedule of \$67,500.00.

NOW THEREFORE, be it resolved by the City to enter into a Construction Manager at Risk Consensus Document to the cost limitations set forth above.

Upon a roll call vote the following voted Aye: J. Dorry, Sykora, M. Dorry, Hausauer,

Berger, Radermacher and Karels. Nay: None.

Resolution 21-15 passed this 16th day of February 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

10.c.*Roof Inspection Agreement-Waste Water Plant

Sykora moved and Karels seconded that the following Resolution be adopted:

RESOLUTION 21-16
RESOLUTION APPROVING ROOF INSPECTION AGREEMENT-WATER
TREATMENT PLANT & WASTE WATER PLANT-\$895.00

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve entering into a Roof Inspection Agreement with M. J. Dalsin Co. of ND Inc. at a cost of \$895.00.

Upon roll call vote the following voted Aye: J. Dorry, Sykora, M. Dorry, Hausauer, Berger, Radermacher and Karels. Nay: None.

Resolution 21-16 passed this 16th day of February 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

UNFINISHED BUSINESS:

11.a. ADD: County Highway Garage

Mike Dorry made a motion for the police department to have the closet car stall of the county highway garage to the office. With a lack of a second, the motion did not pass. No further discussion.

CONSIDERATION OF BILLS:

Approve Expenditures-2/16/2021

A motion was made by J. Dorry and seconded by Sykora with Berger abstaining and passed to approve the bills.

NEW ACTIONS:

EXECUTIVE SESSION:

ADJOURNMENT:

Meeting adjourned at 5:45 P.M.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk Administrator