

COUNCIL MEETING MINUTES
Library Media Center
412 2nd Street NW, Ortonville, MN
Monday, September 20, 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: Char Grossman, Deb Ellingson, Scott Huizenga, Sam Berger, Vicki Oakes and Jason Mork. Media: Mike Swenson. Other: Dave Rogers, Shane Ayres, Bob Schlieman, Curt Bailey, Chuck Henningson, Artie Arndt and Samantha Zahn.

AGENDA AMENDMENTS: Pull 10.a. Memorandum of Understanding with Woodland Center. ADD: 10.b. Parade Permit

PUBLIC PARTICIPATION AND CORRESPONDENCE:

4.a.Chuck Henningson-Award Letter

Fire Chief, Chuck Henningson, addressed the council that the fire department was awarded a federal resource grant of \$162,476.19 with non-federal resources of \$8,123.81 for a total of \$170,600. The grant would be used to purchase 25 SCBA units with spare cylinder and masks for a total of \$167,500 and 5 additional Face Pieces for \$2,500. The grant writing fees were \$600. After they receive the new equipment they will have the older equipment for surplus property.

4.b. Shane Ayres-OAHS FY2022 Operating Budget

J. Dorry moved and Karels seconded that the following Resolution be adopted:

RESOLUTION 21-75
RESOLUTION APPROVING ORTONVILLE AREA HEALTH SERVICES FY2022
BUDGET

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve the Ortonville Area Health Services Budget for Fiscal Year ending September 30, 2022 as presented by Shane Ayres, CFO for Ortonville Area Health Services.

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

Resolution 21-75 passed this 20th day of September 2021.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

4.c. Bob Schlieman

4.c.1. Public Hearing: Facilities Plan for Utility & Street Improvements 2022

Mayor Hausauer called a Public Hearing to order at 5:16 PM. This hearing was called to discuss the Facilities Plan for Utility & Street Improvements 2022. With no public testimony, Mayor Hausauer closed the hearing at 5:45 PM and called the regular Council meeting to order.

4.c.1.a. Resolution Approving & Adopting Facilities Plan

M. Dorry moved and Radermacher seconded that the following Resolution be adopted:

**RESOLUTION 21-76
CITY OF ORTONVILLE, MINNESOTA
RESOLUTION APPROVING AND ADOPTING FACILITIES PLAN FOR
FOURTH STREET NW, FOURTH STREET SE, WASHINGTON AVENUE,
ORCHARD STREET, PARK AVENUE, STEPHENS AVENUE, CENTER STREET,
EASTVOLD AVENUE, OTTO AVENUE, ROY STREET, M-CLOUD 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)
- Mcloud 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 September 20, 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 Facilities Plan for said project.

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 21-76 passed this 20th day of September 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

4.c.1.b. Resolution Ordering Preparation of Report on Improvement

J. Dorry moved and M. Dorry seconded that the following Resolution be adopted:

**RESOLUTION 21-77
CITY OF ORTONVILLE, MINNESOTA
RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT
FOR
ROY STREET, EASTVOLD AVENUE, STEPHENS AVENUE, NORTH MINNESOTA
STREET, 5TH STREET NW, 5TH STREET SE, 4TH STREET NW, 4TH STREET SE,
JACKSON AVENUE AND LINCOLN AVENUE**

WHEREAS, it is proposed to improve the following areas:

- Roy Street from Otto Avenue to Eastvold Avenue
- Eastvold Avenue from Roy Street to Cliff Street
- Stephens Avenue from Cliff Street to Minnesota Street
- North Minnesota Street from Monroe Avenue to Jackson Avenue
- 5th Street NW from Monroe Avenue to Jackson Avenue
- 5th Street SE from Jackson Avenue to Lincoln Avenue

- 4th Street NW Monroe Avenue to Jackson Avenue
- 4th Street SE from Jackson Avenue to Lincoln Avenue
- Jackson Avenue from Second Street to North Minnesota Street
- Lincoln Avenue from Second Street to 5th Street

by making improvements to the sanitary sewer collection system, water distribution system, storm sewer collection system, street, curb and gutter, sidewalk, retaining walls, and adjoining driveways, and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

That the proposed improvement be referred to Bob Schlieman with Apex Engineering Group for study and that he is instructed to report to the board with all convenient speed advising the board in a preliminary report as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in common with some other improvement, and the estimated cost of the improvements as recommended.

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 21-77 passed this 7th day of September 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk

4.c.1.c. Approve Task Order

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

**RESOLUTION 21-78
RESOLUTION APPROVING AGREEMENT BETWEEN CITY OF ORTONVILLE
AND APEX ENGINEERING GROUP, INC. FOR PROFESSIONAL SERVICES-
TASK ORDER EDITION DATED SEPTEMBER 20, 2021.**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to authorize the Mayor to enter into a Task Order Agreement dated September 20, 2021 with Apex Engineering Group, Inc. for professional services for the Utility, Surface and Drainage Improvements for Roy Street, Eastvold Ave., Stephens Ave., Minnesota Street, 5th Street, 4th Street, Jackson Ave., Lincoln Ave. and Stephens Avenue Ravine Slope Improvements.

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 21-78 passed this 20th day of September 2021.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

4.c.2.a. Resolution Declaring Cost to be Assessed & Ordering Preparation of Proposed Assessment.

Karels moved and J. Dorry seconded that the following Resolution be adopted:

**RESOLUTION 21-79
RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT
2019 UTILITY AND STREET IMPROVEMENTS
CITY OF ORTONVILLE, MINNESOTA**

WHEREAS, estimated costs have been calculated for the improvement of the following areas:

- Monroe Avenue from 2nd Street NW to North Minnesota Street
- Madison Avenue from 2nd Street NW to 5th Street NW
- Jefferson Avenue from 5th Street NW to North Minnesota Street
- Pacific Avenue from Cliff Street to 5th Street NW
- North Minnesota Street from Stephens Avenue to Monroe Avenue
- 5th Street NW from Pacific Avenue to Madison Avenue
- 4th Street NW from Madison Avenue to Monroe Avenue

By making improvements to the sanitary sewer collection system, water distribution system, storm sewer collection system, street, curb and gutter, sidewalk, and adjoining driveways, and the estimated total cost for such improvement is \$6,364,768.00.

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

1. The estimated portion of the cost of such improvement to be paid by the City is hereby declared to be \$4,936,408.00 and the estimated portion of the cost to be assessed against benefited property owners is declared to be \$1,428,360.00.
2. Assessments shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or before the first Monday in January 2022

and shall bear interest at the rate of 2.00 percent per annum from the date of the adoption of the assessment resolution.

3. The city clerk, with the assistance of the consulting engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he/she shall file a copy of such proposed assessment in his/her office for public inspection.

4. The clerk shall upon the completion of such proposed assessment, notify the council thereof.

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 21-79 passed this 20th day of September 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

4.c.2.a. Resolution for Hearing on Proposed Assessment

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

**RESOLUTION 21-80
RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT
2019 UTILITY AND STREET IMPROVEMENTS
CITY OF ORTONVILLE, MINNESOTA**

WHEREAS, by a resolution passed by the council on September 20th, 2021, the city clerk was directed to prepare a proposed assessment of the cost of improvements within the following areas:

- Monroe Avenue from 2nd Street NW to North Minnesota Street
- Madison Avenue from 2nd Street NW to 5th Street NW
- Jefferson Avenue from 5th Street NW to North Minnesota Street
- Pacific Avenue from Cliff Street to 5th Street NW
- North Minnesota Street from Stephens Avenue to Monroe Avenue
- 5th Street NW from Pacific Avenue to Madison Avenue
- 4th Street NW from Madison Avenue to Monroe Avenue

by making improvements to the sanitary sewer collection system, water distribution system, storm sewer collection system, street, curb and gutter, sidewalk, retaining walls, and adjoining driveways

AND WHEREAS, the clerk has notified the council that such proposed assessment has been completed and filed in his office for public inspection,

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

1. A hearing shall be held on the 4th day of November 2021 in the Ortonville Community Center located at 200 Monroe Avenue, Ortonville, MN at 5:30 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and the city clerk shall state in the notice the total cost of the improvement. The city clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the city clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. He/she may at any time thereafter, pay to the city clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

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

Resolution 21-80 passed this 20th day of September 2021.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

4.c.3. Citywide Stormwater

The ongoing concerns of the stormwater runoff from an area of the city that enters a ravine from Stephens Ave. to 3rd Street (west end of Central Park) was addressed by Bob Schlieman. At one time the City and the Watershed District took part in installing a riser pipe on the

upstream side of the culvert to help control the rate of stormwater runoff entering Central Park. Bob informed the council that he had met with Amber from the Watershed District and there is a possibility of applying for grant dollars to help with the stormwater infrastructure to possibly eliviate the volume of water, the erosion of the banks and the silk and sediment.

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 J. Dorry and seconded by M. Dorry and passed unanimously to approve the Consent Agenda as presented.

6.a.*Approve Minutes Regular Council Meeting 9/7/21

A motion was made by J. Dorry and seconded by M. Dorry and passed to approve the council minutes of 9/7/21.

PUBLIC HEARINGS:

7.a.

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

8.a.*Golf Board Meeting Minutes 9/8/21

8.a.1. Resignation from Jerry Wiegman

A motion was made by J. Dorry and seconded by Sykora and passed to accept the resignation from Jerry Wiegman from the Golf Board effective September 8th with regret.

8.a.2. 1 year agreement for Clubhouse

M. Dorry moved and J. Dorry seconded that the following Resolution be adopted:

**RESOLUTION 21-81
RESOLUTION APPROVING 2022 LEASE AGREEMENT WITH ADAM
ELLARD FOR THE GOLF COURSE CLUBHOUSE**

WHEREAS, the City has received a recommendation from the Golf Board regarding the renewal of the Golf Course Clubhouse Lease Agreement; and

WHEREAS, by the Recommendation of the Golf Board to extend Adam Ellard’s lease for 1 year.

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Ortonville to enter into the 2022 Lease Agreement with Adam Ellard for the Ortonville Golf Course Clubhouse.

BE IT FURTHER RESOLVED that a Surety Bond acceptable to the City in the amount of \$8,500.00 be supplied by Ellard and Ellard will supply a certificate of insurance acceptable to the City.

Upon roll call vote the following voted Aye: J. Dorry, M. Dorry, Hausauer and Berger.
Nay: Sykora, Radermacher and Karels.

Resolution 21-81 passed this 20th day of September 2021.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

8.b. *Park Board Meeting Minutes 9/9/21

8.b.1. Recommendation for fund raising for firepits

The League of Minnesota advised the safety concerns of having firepits in a family park and also the structures. Firepits need to be at least 25 feet away from any wooden structures. It was also discussed on having them closer to the pier area where there isn't any wooden structures.

8.b.2. Recommendation for pitching machine & safety screen

\$2000 was put in the park budget for 2022 for equipment purchases.

8.c. *OAHS Meeting Minutes

STAFF REPORTS: Char Grossman

9.a.1. American Rescue Plan

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

RESOLUTION 21-82
RESOLUTION APPROVING THE ALLOCATION OF GRANT MONIES OF
\$188,565.94 FROM THE AMERICAN RESCUE PLAN TO UPDATE WATER AND
WASTE WATER SYSTEM

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City Of Ortonville to approve grant monies from the American Rescue Plan of \$188,565.94 for updating Ortonville's water and wastewater system and possibly sewer.

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

Resolution 21-82 passed this 20th day of September 2021.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

9.a.2. 2022 Proposed Levy & Budget

A Budget Workshop will be held October 4th after the regular council meeting.

9.a.3. Resolution Approving Tax Levy Collectible

J. Dorry moved and M. Dorry seconded that the following Resolution be adopted:

RESOLUTION 21-83
A RESOLUTION APPROVING THE PROPOSED 2021 TAX LEVY,
COLLECTIBLE IN 2022

BE IT RESOLVED by the Council of the City of Ortonville, County of Big Stone, Minnesota, that the following sums of money are proposed to be levied for the current year, collectible in 2022, upon the taxable property in the City of Ortonville, for the following purposes:

General Fund:	\$746,795
Library:	\$ 87,661
2019 Street Project:	\$226,713
Public Safety Building:	<u>\$ 93,761</u>
Total Levy:	\$1,154,930

BE IT FURTHER RESOLVED by the Ortonville City Council that a meeting will be held on Monday, December 6, 2021 at 6:00 P.M. in the Library Media Center located at 412 2nd Street NW at which time the budget and levy will be discussed and public input allowed.

The City Clerk-Administrator is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Big Stone County, Minnesota.

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

Resolution 21-83 passed this 20th day of September, 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

9.a.4. Resolution Approving Proposed 2022 Budget

Karels moved and J. Dorry seconded that the following Resolution be adopted:

**RESOLUTION 21-84
RESOLUTION APPROVING THE PROPOSED 2022 BUDGET**

WHEREAS, the Property Tax Law requires local governments to adopt and certify to the County Auditor a Proposed Budget by September 30th; and

WHEREAS, the 2022 Proposed City budget, consisting of \$2,793,451.00 in revenues and \$2,793,451.00 in expenditures, is adopted under the provisions of the Property Tax Law; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ortonville that the City Council does hereby approve the Proposed 2022 Budget as filed in the office of the City Clerk-Administrator.

Upon roll call vote the following voted Aye: J. Dorry, M. Dorry, Hausauer, Berger, Radermacher and Karels. Nay: Sykora.

Resolution 21-84 passed this 20th day of September 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

NEW BUSINESS:

10.a. Removed--*Memorandum of Understanding with Woodland Center

10.b. Added-Parade Permit

A motion was made by Berger and seconded by Karels and passed unanimously to approve the Homecoming Parade Permit which will be held on October 1st.

UNFINISHED BUSINESS:

11.a.*2nd Reading of Ordinance 21-07-Midcontinent Franchise Renewal

J. Dorry moved and M. Dorry seconded that the following Resolution be adopted:

RESOLUTION 21-85
RESOLUTION APPROVING SECOND READING AND ADOPTION OF
ORDINANCE 21-07 AN ORDINANCE APPROVING RENEWAL OF
MIDCONTINENT FRANCHISE AGREEMENT

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Ortonville to approve the second reading and the adoption of Ordinance 21-07 an Ordinance approving the renewal of the Franchise Agreement with Midcontinent.

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

Resolution 21-85 passed this 20th day of September 2021.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

CONSIDERATION OF BILLS:

Approve Expenditures-9/20/21

J. Dorry moved and Karels seconded that the following Resolution be adopted:

RESOLUTION 21-86
RESOLUTION APPROVING EXPENDITURES OF 9/20/21

BE IT AND IT IS HEREBY RESOLVED that the expenditures as listed in the Council report and on file at the City Clerk's Office in the amount of \$57,950.96 to be paid.

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

Resolution 21-86 passed this 20th day of September 2021.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

NEW ACTIONS:

EXECUTIVE SESSION:

ADJOURNMENT:

Meeting adjourned at 6:50 P.M

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator