

COUNCIL MEETING MINUTES
Library Media Center
412 2nd Street NW, Ortonville, MN
Monday, May 1, 2023
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, T. Dorry, Berger, Powell and Karels. Absent: None. Staff present: Char Grossman, Deb Ellingson, Sam Berger and Jesse Roscoe. Media: Mike Swenson. Other: None.

AGENDA AMENDMENTS: Take Off: 10.c. Proposal from Braun Intertec

A motion was made by J. Dorry and seconded by Berger and passed unanimously to approve the agenda amendments

PUBLIC PARTICIPATION AND CORRESPONDENCE:

4.a.

CONSENT AGENDA: ADD: 10.f. Gambling permit-Fire Dept.

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

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

APPROVAL OF MINUTES:

6.a.*Approve Minutes Regular Council Meeting 4/17/23

A motion was made by Karels and seconded by Berger and passed to approve the council minutes of the 4/17/23 meeting.

PUBLIC HEARINGS:

7.a.

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

8.a.*Street-Utility Meeting Minutes 4/17/23

8.a.1.*Resolution recommending Sealcoating Quotes

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

RESOLUTION 23-46
RESOLUTION ACCEPTING BITUMINOUS PAVING INC.
BID FOR 2023 STREET SEAL COATING

WHEREAS, the Council of the City of Ortonville had previously advertised for bids for the seal coating of various Ortonville streets, and

WHEREAS, Project bids have now been received and reviewed by the Council, and

WHEREAS, the bid of Bituminous Paving, Inc., Ortonville, Minnesota in the amount of \$60,000.00 for Oil for Seal Coating, \$20,000.00 for Aggregate has been determined by the Council to be the lowest responsible bid for the Project.

NOW THEREFORE BE IT RESOLVED by the Council that:

1. The bid of Bituminous Paving Inc. is hereby accepted.
2. That the Mayor and Clerk-Administrator be and are hereby authorized to execute said contract with Bituminous Paving Inc.

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

Resolution 23-46 passed this 1st day of May 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

8.a.2.*Resolution recommending Street Items

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

RESOLUTION 23-47

RESOLUTION APPROVING BITUMINOUS MIX-GRAVEL AND OTHER QUOTES

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve accepting the Street Committee recommendations to award bids for the 2023 season's bituminous mix, street and sidewalk repairs as follows:

- Bituminous Mix \$91.00 per ton laid-Bituminous Paving, Inc.
- Class Five Delivered @ \$9.74 per ton-Sev's Gravel & Excavating
- Pit Run Delivered @ \$8.44 per ton-Sev's Gravel & Excavating
- Sidewalk Removal & Disposal-No Bid
- Curb & Gutter Removal & Disposal-No Bid
- Install Sidewalks-No bid
- Install Curb & Gutter-No bid

- Black Dirt @ \$30.00 per yd.-Ronglien Excavating

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

Resolution 23-47 passed this 1st day of May 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

8.a.3. Resolution recommending for a tractor, attachments and pump not to exceed \$135,000.

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

RESOLUTION 23-48
RESOLUTION APPROVING PURCHASE OF A CASE FARMALL UTILITY
TRACTOR, ATTACHMENTS AND A PUMP IN AN AMOUNT NOT TO EXCEED
\$135,000.00

WHEREAS, it was determined that a Case Farmall Utility tractor with attachments and a pump are needed for the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Ortonville, Minnesota that a Case Farmall Utility tractor with attachments and pump will be purchased in an amount not to exceed \$135,000.00.

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

Resolution 23-48 passed this 1st day of May 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

STAFF REPORTS:

9.a. Bill addressed the council that a “thank you” should be acknowledged to Char, Debbie and Clint on the audit. The audit had no matters or instances. Jesse reported that the golf course will open on Tuesday, May 2nd and that the chimney at the Clubhouse is need of repairs due to a draft coming into the clubhouse. Char updated the council on the flooding at the skating rink.

The warming house and all contents of the building were destroyed by the high water. She had talked to the insurance company and they came to look at the damage. There was also a road washed out at the skating rink that will need to be repaired.

NEW BUSINESS:

10.a.*Approve Liquor Licenses-Alibi Lounge & Grill LLC-On Sale, Off Sale & Sunday

10.b.*Approve Resolution-Big Stone County All Hazard Mitigation Plan

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

**RESOLUTION 23-49
RESOLUTION ADOPTION OF THE
BIG STONE COUNTY ALL-HAZARD MITIGATION PLAN**

WHEREAS, the City of Ortonville has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Big Stone County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Big Stone County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Big Stone County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Big Stone County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Big Stone County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that the City of Ortonville supports the hazard mitigation planning effort and wishes to adopt the Big Stone County All-Hazard Mitigation Plan.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the Clerk.

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

Resolution 23-49 passed this 1st day of May 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

10.c. Proposal from Braun Intertec-Took off of agenda.

10.d. Change Order No. 1 for project

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

RESOLUTION 23-50
RESOLUTION APPROVING J & J EARTHWORKS CHANGE ORDER #1 ON
THE 2022 STREET AND UTILITY IMPROVEMENTS

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to authorize J & J Earthworks, Inc. to approve Change Order #1 for the Street and Utility Improvements on the (1) time extension due to availability of materials and (2) Madison Avenue Sanitary Sewer Improvements for the Big Stone County CSAH 26 Mill & Overlay.

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

Resolution 23-50 passed this 1st day of May 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk Administrator

10.e. Proposal for Rate Study

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

RESOLUTION 23-51
RESOLUTION APPROVING APEX ENGINEERING RATE STUDY-\$15,900.00

WHEREAS, the City of Ortonville wishes to review its current sanitary sewer, water, and storm utility rates to determine if rate adjustments are necessary, and

WHEREAS, Apex Engineering is proposing to provide such consultative services to the City of Ortonville,

NOW THEREFORE BE IT RESOLVED, that the City of Ortonville, Minnesota hereby hires Apex Engineering to perform an sanitary sewer, water, and storm sewer Utility Rate Study, as set forth in the Scope of Services Agreement, for the Ortonville Sanitary Sewer, Water, and Storm Sewer systems at a cost of \$15,900.00.

Upon roll call vote the following voted Aye: J. Dorry, Sykora, T. Dorry, Hausuaer, Berger, Powell and Karels. Nay: None.

Resolution 23-51 passed this 1st day of May, 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

UNFINISHED BUSINESS:

11.a.*Approve 2nd Reading of Ordinance 23-02

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

**RESOLUTION 23-52
RESOLUTION APPROVING SECOND READING AND ADOPTION OF
ORDINANCE 23-02 AN ORDINANCE REPEALING 113.01 (B) AND
AMENDMENT**

The City of Ortonville, Minnesota, to amend Chapter 13 of the Ortonville City Code of Ordinances to repeal 113.01 (B) and amend to:

“113.01 (B) The provision of this section shall not apply to the area within the limits of the fire hall.”

Upon roll call vote the following voted Aye: J. Dorry, Sykora, T. Dorry, Hausauer, Powell and Karels. Nay: None.

Resolution 23-52 passed this 1st day of May 2023.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

11.b.*Approve 2nd Reading of Ordinance 23-03

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

RESOLUTION 23-53
RESOLUTION APPROVING SECOND READING AND ADOPTION OF
ORDINANCE 23-03 AN ORDINANCE REZONING CERTAIN PROPERTY IN
THE CITY OF ORTONVILLE

The City of Ortonville, Minnesota, upon recommendation of the Planning Commission, ordains that certain property in the City of Ortonville be rezoned as follows:

Parcel Number: 22-0048-000 OL’S 148, 149, 152 AND WLY 25’ OF SLY 280.87’ ADJOINING ELY LINE OF OL 150 F63116 & F63216 ORTONVILLE CITY LANDS-owned by Otter Tail Power Co. Rezoned from General Business (B 2) to General Industry (I 2).

Upon roll call vote the following voted Aye: J. Dorry, Sykora, T. Dorry, Hausauer, Powell and Karels. Nay: None.

Resolution 23-53 passed this 1st day of May 2023.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

11.c.*Approve 2nd Reading of Ordinance 23-04

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

RESOLUTION 23-54
RESOLUTION APPROVING SECOND READING AND ADOPTION OF
ORDINANCE 23-04 AN ORDINANCE REZONING OF CERTAIN PROPERTY
IN THE CITY OF ORTONVILLE

The City Council of the City of Ortonville, Minnesota, upon recommendation of the Planning Commission, ordains that certain property in the City of Ortonville be re-zoned as follows:

Parcel Number: 22-1627-000 OL 133 OUTLOT 133-owned by City of Ortonville. Rezoned from General Buisness (B 2) to General Industry (I 2).

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

Resolution 23-54 passed this 1st day of May 2023.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

11.d.*Approve 2nd Reading of Ordinance 23-05

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

RESOLUTION 23-55
RESOLUTION APPROVING SECOND READING AND ADOPTION OF
ORDINANCE 23-05 AN ORDINANCE REZONING CERTAIN PROPERTY IN
THE CITY OF ORTONVILLE

The City Council of the City of Ortonville, Minnesota, upon recommendation of the Planning Commission, ordains that certain property in the City of Ortonville be re-zoned as follows:

Parcel Number: 22-1675-010 OL 178-owned by H6 Minnesota Holdings LLC. Rezoned from Limited Industry (I 1) to General Business (B-2).

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

Resolution 23-55 passed this 1st day of May 2023.

APPROVE:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

CONSIDERATION OF BILLS:

12.a. Approve Expenditures-5/1/23

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

RESOLUTION 23-56
RESOLUTION APPROVING EXPENDITURES OF 5/1/23

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 \$145,501.45 to be paid.

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

Resolution 23-56 passed this 1st day of May 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk Administrator

NEW ACTIONS:

13.

EXECUTIVE SESSION:

14.

ADJOURNMENT:

15. Meeting adjourned at 5:25 P.M.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk Administrator