

COUNCIL MEETING MINUTES
Library Media Center
412 2nd Street NW, Ortonville, MN
Monday, June 20, 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, T. Dorry, Berger, Powell and Karels. Absent: Sykora. Staff present: Char Grossman, Deb Ellingson, Sam Berger, and Scott Huizenga. Media: None. Other: Artie Arndt, Ben Vonada, Jordan Roggenbuck, Bob Schlieman, Kelsey Stock, James Sitter, Gina Wintz and Ashton Ayres.

AGENDA AMENDMENTS:

PUBLIC PARTICIPATION AND CORRESPONDENCE:

4.a. Bob Schlieman-Econo Lodge Parking Lot

After further discussion on the Econo Lodge Parking Lot it was decided that the city will do nothing to any of the infrastructure at the parking lot. Engineer Bob Schlieman believes that this past spring was an exceptional timing of snow melting too fast and the culvert being frozen that it caused it to flood. The city agreed to monitor it for a year from now and see if anything changes.

A motion was made by Karels and seconded by Berger and passed unanimously to accept the findings of the engineer and with Artie Arndt that at this time the city will not do anything to the infrastructure at the Econo Lodge Parking Lot.

Artie needs a signature from the city mayor for the Upper Minnesota River Watershed District project status for any changes that he constructs on the Econo Lodge Parking Lot. Mayor Hausauer signed off on the request per council approval.

Bob Schlieman-Courthouse Alley

The courthouse alley estimated cost to complete all the work in the alley is \$242,004. The city portion of the total cost would be \$218,579. This included surface improvements adjacent to the courthouse alley, the surface improvements of the alley and replacement of the existing retaining wall.

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

RESOLUTION 23-68
RESOLUTION PROCEEDING TO MOVE FORWARD WITH THE COURTHOUSE
ALLEY IMPROVEMENTS

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to proceed to move forward with the courthouse alley improvements at a cost of \$218,579.00 which includes the surface improvements of the entire alley at a cost of \$18,733.00, the parking lot adjacent to the alley at a cost of \$20,114.00 and the replacement of the existing retaining wall at a cost of \$179,731.00.

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

Resolution 23-68 passed this 20th day of June, 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

4.b. Artie Arndt-Lodging Tax

Artie addressed the council and would like for the city to impose a tax on lodging on short term rentals within the city limits. He informed the council that the Minnesota Department of Revenue would send out letters to the short-term rentals and hotels to collect the tax. The short-term rentals are classified as a higher tax value than the homesteaded properties, but not as high as non-homesteaded properties. The county would report all short-term rentals to the state. A motion was made Powell and seconded by J. Dorry and passed unanimously to follow the steps of the state and enforce the lodging tax in the City of Ortonville on short term rentals and hotels. The city attorney's office will prepare an ordinance.

4.c. Jordan Roggenbuck-Minnesota River Headwaters Trail Project

Jordan addressed the council that they had received word on the Minnesota River Headwaters Trail Project on the funding of grants. Back in October of 2021 the council had passed a resolution approving \$18,954 as their local match, assuming it would cover 1/3 of the local participating cost. However, due to the recent changes, the city will only need 1/5 of that amount resulting in \$3,480.00.

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 Berger and passed unanimously to approve the Consent Agenda as presented.

APPROVAL OF MINUTES:

6.a. *Approve Minutes Regular Council Meeting 6/5/23

A motion was made by J. Dorry and seconded by Berger and passed to approve the council minutes of the 6/5/23 meeting.

PUBLIC HEARINGS:

7.a.

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

8.a.*Planning & Zoning Meeting Minutes 6/6/23

8.a.1.Recommendation to Approve Findings of Fact Conditional Use Permit for Gina Wintz-Dog Kennel

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

**RESOLUTION 23-69
RESOLUTION APPROVING FINDINGS OF FACT AND RECOMMENDATIONS
FOR GINA WINTZ ON A CONDITIONAL USE PERMIT APPLICATION**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville, Minnesota to find as stated in section 150.021 of the City’s Zoning Ordinance that the Conditional Use Permit Application from Gina Wintz does meet the minimum requirements of the City Ordinances and therefore the City Council finds that the issue of public health, safety and welfare have been adequately addressed and were found to be in compliance with all City requirements. The City Council adopts the Findings of Fact and hereby approves the issuance of Conditional Use Permit #23-01 to Gina Wintz to do business for a commercial dog kennel on the premises at 72 Co. Rd 15, Ortonville, MN.

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

Resolution 23-69 passed this 20th day of June 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

8.a.2. Recommendation to approve Findings of Fact Variance Permit-Matthew Swigerd-Addition at 55 McCloud.

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

**RESOLUTION 23-70
RESOLUTION OF THE CITY OF ORTONVILLE
APPROVING THE VARIANCE REQUEST OF MATTHEW SWIGERD**

WHEREAS, Matthew Swigerd (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 10 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 an 14’ X 22’ addition with an 8 foot setback from the property line; and

WHEREAS, the subject property is legally described as:

**LOT 8 BLK 3, 1ST ADDITION PENNISULA
PARCEL 22-0777-000**

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 June 6, 2023;

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 June 6, 2023, regarding this matter are hereby fully adopted by the City Council and incorporated herein by reference.
2. The variance request of Matthew Swigerd is hereby granted;

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

Resolution 23-70 passed this 20th day of June, 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

8.b.*Park Board Meeting Minutes 6/12/23

8.b.1. Recommendation to allow the repairing of the hockey rink

A motion was made by Hausauer and seconded by T. Dorry and passed unanimously that when Jake gets his volunteers to repair the hockey rink that the city would fund for the materials.

8.c.*Golf Club Board Minutes 6/13/23

STAFF REPORTS:

NEW BUSINESS:

10.a.*Approve Liquor License Renewals for 2023-2024

10.b.*1st Reading of Ordinance 23-06-Winter Parking Restrictions

10.c.*Approve Gambling Permit-BSAG-10/10/23

10.d.*Resolution to Approve Summer Rec Instructors for 2023

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

**RESOLUTION 23-71
RESOLUTION HIRING SUMMER REC EMPLOYEES FOR SUMMER 2023**

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve the following hiring summer rec employees for the summer of 2022: Drew Danielson @ \$18.66; Joshua Mueller @ \$17.77; Carter Lee @ 16.15; Hunter Merritt @ \$17.77; Kayleigh Bjorgan @ \$17.33; Mickey Radermacher @ \$16.87; Ashton Conroy @ \$16.87; Courtney Nadgwick @ \$16.15; Justine Anderson @ 16.56; Danielle Karels @ \$16.15; Stephanie Haugen @ \$16.15; Logan Nadgwick @ \$16.15 and Olivia Nelson @ \$16.56.

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

Resolution 23-71 passed this 20th day of June 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk-Administrator

10.e.*Approve Temporary Liquor License-VFW-August 18th & 19th

10.f.*Soil Disposal Contractor Service Invoice-Patricia Pfund & J & J Earthworks

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

RESOLUTION 23-72
RESOLUTION APPROVING SOIL DISPOSAL, HEAVY EQUIPMENT
CONTRACTOR SERVICES WITH PATRICIA PFUND AND J & J
EARTHWORKS FOR THE REMOVAL OF CONTAMINATED SOIL AT A
SITE ADDRESS OF 209 1ST STREET NW

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Ortonville to approve the contractor services with J & J Earthworks at a cost of \$5,220.00 for the removal of contaminated soil and with Patricia Pfund for a cost of \$6,383.00 for the disposal facility location.

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

Resolution 23-72 passed this 20th day of June 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
Clerk-Administrator

UNFINISHED BUSINESS:

11.

CONSIDERATION OF BILLS:

12.a. Approve Expenditures-6/20/23

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

RESOLUTION 23-73
RESOLUTION APPROVING EXPENDITURES OF 6/20/23

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 \$177,067.43 to be paid.

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

Resolution 23-73 passed this 20th day of June 2023.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk Administrator

NEW ACTIONS:

13.

EXECUTIVE SESSION:

14.

ADJOURNMENT:

15. Meeting adjourned at 5:45 P.M.

APPROVED:

ATTEST:

Gene Hausauer
Mayor

Charleen Grossman
City Clerk Administrator