

City of Oronoco

Regular City Council Meeting Agenda

January 22, 2008

7:00PM

I. CALL TO ORDER

Mayor Scott Keigley called the meeting to order at 7pm.

II. ROLL CALL

Present: Mayor Scott Keigley, Councilor Kevin McDermott, Councilor Jackie Hall, Councilor Brian Breider, City Clerk Cheryl Nymann, City Attorney Tom Canan, members of community.

Absent: Councilor Tom Novak

III. APPROVAL OF AGENDA

Addition: IV. I. 2. Microphones
IV. J. 2. Bridge Inspection
VII. B. 2008 Capital Improvements

Mayor Scott Keigley motioned to approve agenda with additions, Councilor Jackie Hall second; all in favor, motion carried.

IV. DEPARTMENTS & COMMITTEE REPORTS

A. OCSO ~ ADS Wallace
No Report

B. FIRE DEPARTMENT ~ Adam Schaeffer, Fire Chief (John Stolp will be present)

1. RUNS: 1 City

Fire at Kahn residence. Rochester attended as well (mutual aid response). State fire Marshall will re-inspect for cause of fire this Thursday.

2. Party for Danny Ondler ~ Saturday, February 9th @ 6pm

Party begins at 5:30pm at Fire Hall with 32.5 years on Fire Dept., and Council invited to attend.

3. Chili Feed Fundraiser ~ Sunday, March 2nd @ 11am-3pm

Raise funds to start restoring old fire truck.

4. Radios 800 mhz – repairs*

Issues discussed. Fire dept. and 1st responders were under the impression that they were water resistant. Looks like the City will have to pay the \$880; however, they should have been under warranty, and the FD had never received a maintenance agreement. No new updates from the emails that were distributed.

5. Pagers – matching grant – 6 pagers \$1700

Grant through DNR for 6 pagers, Mayor Scott Keigley motioned to pay this, Councilor Kevin McDermott second; all in favor, motion carried.

6. March 18th physicals – 23 members

7. 6 month review with Rochester Fire & Dan Slavin (acting fire chief); another meeting in March. Townships that the City of Rochester takes care of are watching this closely because they think Oronoco is getting a better deal than they are. They will talk to their Council.

C. FIRST RESPONDERS ~ Gwen Holt, 1st Responder Director

1. RUNS: Total 6; 2 Township, 4 City

2. They will be getting new members, most are already on the fire department (At least 5 new members). FD has more stringent physical requirements. Gwen just has to bring in the names of new members to Council for approval.

3. 1st Responders trying to start a recognition program and appreciation dinner, in which the Council would be invited to. Probably around EMS appreciation week (March or April).

D. EOC ~ *Dennis Blanck, EOC Director*

1. Updated 2008 Emergency Management Handbook*

Mayor Scott Keigley motioned to accept the revisions, Councilor Jackie Hall second;

DISCUSSION: Contact names and numbers changed. No big changes. The City has never had a drill with it. Changes include: #18 under snow removal add Jay; p. 7 treasurer misspelled.

Mutual aid agreements with Zumbro Valley and Olmsted County Mutual Aid Agreements; p. 13 a references to p. 6 should be page 7; p. 15 County / City Manager (direction & control); debris clearance City Engineer; p. 19 with misspelled. **Mayor Scott Keigley amends motioned to accept revisions, Councilor Jackie Hall second; all in favor, motion carried.**

Councilor Tom Novak arrived at 7:15pm.

E. ORDINANCES & RESOLUTIONS

1. Subdivision Ordinance*

Public Hearing held already with numerous readings. **Mayor Scott Keigley motion to accept subdivision ordinance, Councilor Kevin McDermott second; all in favor, motion carried.**

Mayor Scott Keigley motioned to publish summary of subdivision ordinance, Councilor Brian Breider second; all in favor, motion carried.

2. Ordinance Violations*

- a. 15 MN Ave N

Property is in foreclosure, looks like they picked up some trash, house is empty.

- b. 45 9th Avenue NW

Everything is now frozen to the ground. **Mayor Scott Keigley motioned to table the violation until it thaws and there is the opportunity to clean up, Councilor Kevin McDermott second; all in favor, motion carried.**

F. DOWNTOWN ORONOCO GOLD RUSH DAYS ~ *Danny Ondler, DOGR Chair(change)*

Need to reevaluate food permit fee with City Clerk Cheryl Nymann to see if fee is still appropriate now that Gold Rush has its' own administrator.

G. PARKS & TRAILS ~ *Adam Brase*

1. Minutes*

Discussed items that have already been approved by Council and they are working on the following: Trail Mapping, Park Signs, and Soccer Goals

- a) Park Board Chair & Members

Interim chair is Emily Fletcher through February.

- b) Possible dedication of Parkland in Zumbro Hills

Haven't heard from Mr. Jennissen on it.

H. LAKE SHADY ~ *Katie Dudley, Lake Shady Committee Chair*

No Report

I. COMMUNITY CENTER

1. Bids

Addition of one more by Ford Metro for \$25,400. **Mayor Scott Keigley motioned to accept the bids, Councilor Jackie Hall second; all in favor, motion carried.**

2. [Microphones](#) ~ *City Clerk Cheryl Nymann*

Tim will work on hooking in the mics with cords.

J. STREETS & ROADS

1. Street Lights Estimate*

According to Mr. Wellik, the City needs to pay for the installation in advance because of what happened in Riverwood Hills. Councilor Brian Breider didn't think it should be paid in advance.

Mayor Scott Keigley motioned to table this, Councilor Kevin McDermott second; all in favor, motion carried. Councilor Kevin McDermott will check into this.

2. **Bridge Inspections** ~ City Engineer Joe Palen

City Engineer Joe Palen gave 4,702' of concrete pavement. Completed inspection with MnDOT staff. Observations included:

- Data MnDOT has recorded throughout the years. Pavement is 22 years old and needs maintenance to extend its' life.
- Walked the pavement and made notations of different cracks and joints that need to be reconstructed to improve pavement rating and pavement life.
- Keep the moisture out of the pavement and address areas that may be structurally deficient.
- Bituminous on either side of concrete pavement; on east side a 3' shoulder that is in very poor shape (probably no maintenance on it since it was constructed). Bituminous pavement on west side 8' wide was overlaid in 2003 and in good shape, but there is some cracking (seal coating and crack filling could take care of this).
- Embankment and guard rail issues
- Cost estimates: There are 2 ways to address it:
 1. Concrete portion has areas that need to be removed and replaced, and substantial amount of crack filling that needs to be done; and Mill and overlay \$224,411 cost.
 2. An alternative would be do remove concrete sections replaced, and go ahead and overlay all the pavement (more cost effective) {However, reflective cracking will happen}.

This is meant for the City to be able to go into negotiations with MnDOT on this.

- Bridges are in really good shape, with some minor items that need to be looked at. They included some recommended improvements on p. 7. Conversation with MnDOT during the inspections was that they would be getting these items completed before the turnback occurs. Have been installed since 1985.

K. PLANNING & ZONING

1. Annexation of Cedar Woodlands Business

There is a driveway entry to this (a valid access). **Mayor Scott Keigley motion to accept Resolution 08-01 approving the annexation, Councilor Brian Breider second;** Councilor Tom Novak commented that it should have done this last month and Mayor Scott Keigley said the access point to MN Ave. was an important clarification; **Voice Vote, all in favor, motion carried.**

2. Fitzpatrick Developments Water Testing & Wastewater Management

Mr. Fitzpatrick subcontracted this to more qualified individuals.

3. Minutes & Recommendations*

a) Public Hearing Scheduled Feb. 6th @ 6:45pm for Rezone Request @ Cedar Woodlands Bus.

b) Rezone Request on Riverwood Hills Business

Application requested to rezone to B-2. P & Z recommends rezoning bottom third to B-2 and remainder R-2. City Attorney Tom Canan pointed out the Zoning designations are suppose to follow lot and property lines, and Olmsted County doesn't like a parcel to have a parcel with dual zoning areas. Mr. Fitzpatrick and Mr. Tointon have prepared a modified request, however it is not the same that was presented to P & Z on the application. Not in line with future land use plan. The same scenario is in line with Cedar Woodlands. Come up with concept plan for the Cedar Woodlands as well. Fairly significant changes, and prefer to have time to prepare this. Mr. Fitzpatrick withdrew both zone change applications. **Mayor Scott Keigley motioned to accept withdrawal, Councilor Jackie Hall second;** DISCUSSION: Business name clarified., **all in favor, motion carried.** Suggested Public Hearing Dates with P & Z on March 4th to give plenty of time for preparation.

c) Rezone Request for Brandon Radke

He would like to create an apartment in lowest level of dwelling; currently zoned R-1 and requested to rezone to R-2. P & Z recommends denial because it did not adhere to future land use plan, and would be spot zoned. **Councilor Tom Novak motioned to deny the request, Councilor Jackie Hall second;** DISCUSSION: Findings of fact clarified that it did not adhere to future land use plan and it would create spot zoning. **All in favor, motion carried.**

- d) Outdoor Wood Boilers Ordinance
Needs a fine cost if not in compliance and some wording changes, and stack is higher than rooftops within 500 feet of the boilers. What if neighbor did remodeling, then do you have to go higher than that. Tom Canan suggested revisions, and will forward on to P & Z.
 - e) Seasonal Signs
P & Z thinks the new sign ordinance should be fine. P & Z recommends that no language about seasonal signs is put into sign ordinance. Councilor Kevin McDermott disagrees and stated that there should be allotment for seasonal signs.
 - f) Annual Meeting
Decided that committee positions will remain the same. The committee accepts the annual report. All seats are currently filled.
 - g) Next meeting changed to Wed., Feb. 6th
4. Summary of Applications*

L. WATER & SEWER

Jan. 29th meeting to discuss findings of feasibility report. City Clerk Cheryl Nymann will post as a possibility of 3 council members may be present.

V. PUBLIC FORUM

James Nosbush, 140 2nd St NE

Ask Council to expedite this ordinance to bring this huge problem at rest. Presented picture that was taken at 3:30 and 4:00pm today. He has 2 neighbors with wood fired boilers. Wood smoke is 10x worse than cigarette smoke. House is 150-160' from neighbor's wood boiler. Hill on east side, so no smoke is going that way. Mr. Nosbush invited whole Council after the meeting to look at the problem. Neighbor on other side burns engine oil, and Rebecca Reisner complaining about oil burner to him. The smoke does not leave this little valley. Some of the concerns will be taken care of in the new ordinance (i.e what can be burned).

Jesse Jamison,

Current standard for comprehensive plan if modified and a standard for changing. Councilor Tom Novak comp plan gets addressed every three to five years. There is a different of Future Land Use Plan and comp plan, and Future Land Use Plan could get changed often. If specific issues being changed in either, it has to go to public hearing.

Paul Fitzpatrick, 1290 Shady Oak LN SW

Mr. Fitzpatrick questioned what he was getting in return for his tax money. He receives law enforcement, parks, streets, fire services, first responders. Oronoco is one of the lower taxed cities in the area. Mayor Scott Keigley closed public forum at 8:30pm.

Break called at 8:30pm

Reconvened at 8:40pm.

VI. PETITIONS, REQUESTS & COMMUNICATIONS

A. MCFOA ANNUAL MEETING MARCH 11-14*

Councilor Kevin McDermott motioned to send City Clerk Cheryl Nymann to this, Mayor Scott Keigley second; DISCUSSION: cost discussed; all in favor, motion carried.

B. MDH- DRINKING WATER REVOLVING FUND*

City Engineer Joe Palen thinks the City will be ready for this. With CIP, and feasibility study, the City has a footprint. This is not strictly income competitive, (they are low interest loans with strings attached. City needs to talk about it. City Engineer Joe Palen is keeping on eye on this.

C. MCGHIE & BETTS ENVORNMENTAL SERVICES*

Be aware of conflicts of interest, (with developments), etc.

D. MN ENERGY RESOURCES*

Fire Dept. will be setting up a meeting on training.

E. SCHOOL DISTRICT BOUNDARIES*

Councilor Tom Novak reported that the Supt. and School Boards have been notified of the issue and how we are looking to address this issue; Rep. Randy Demmer is addressing this at the state level; Dept. of Ed comments is that it may be an unprecedented issue. Making it clear that the Council has no opinion on what should be done on this, except that it is made fair to the citizens.

VII. UNFINISHED BUSINESS

A. TASK LIST FROM COUNCIL MEETINGS*

It is helpful for Council members. City Clerk Cheryl Nymann explained the list.

B. 2008 CAPITAL IMPROVEMENTS

Council will be considering this.

VIII. NEW BUSINESS

A. MEMBERSHIP IN MN ASSOCIATION OF SMALL CITIES (MAOSC)*

How does it benefit the City? No membership.

B. 2007 PERFORMANCE REVIEW ON BONESTROO*

Please return to City Clerk Cheryl Nymann.

IX. CONSENT AGENDA

A. BUILDING PERMITS*

- | | | |
|------------------|------------------------|-----------------|
| 1. John Wiggins | 1200 Valley View Dr SW | Basement Finish |
| 2. Brandon Radke | 125 MN Avenue N | Basement Finish |

B. MEETING MINUTES*

- 12-17-2007 Regular City Council Meeting Minutes
Listen to tape on clarification of Luis Merced Application and timeline.
- 1-9-07 Special City Council Meeting Minutes
Lyle Felch misspelled.

C. FINANCIALS*

- MBIA Account Summaries
- Budget
- Accounts Payable ~ General & Special Funds ~ *Bills Discussed, pulled People's Co-op*
- Accounts Receivable & Unpaid Bills
- Transfers
 - From Construction SF to GF \$,821.84 (5th Street Project)
 - From WAC/SAC SF to GF \$4,211.00 (Water Flow Study)
- Bond Payments
 - State of MN: \$24,803.98 (to be taken out of Fund 106-Overpass)
 - US Bank: \$33,526.25 (to be taken out of Fund 105-2004A Capital Project)
 - Pine Island Bank: \$2,428.96 (to be taken out of Fund 107-2007 Capital Project)
 - Briggs & Morgan \$2,500.00 (to be taken out of Fund 107-2007 Capital Project)

Mayor Scott Keigley motioned to table 12/17 Minutes and accept consent agenda with changes stated, Councilor Kevin McDermott second; all in favor, motion carried.

X. ADJOURNMENT

Councilor Jackie Hall motioned to adjourn at 9:10pm, Councilor Kevin McDermott second; all in favor, motion carried.

Respectfully Submitted:

Scott Keigley, Mayor

Cheryl Nymann, CMC, City Clerk/Treasurer