

# City of Oronoco

## Regular City Council Meeting Agenda

### November 19, 2007

### 7:00PM

#### I. CALL TO ORDER

Mayor Scott Keigley called the meeting to order at 7:00pm.

#### II. ROLL CALL

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

#### III. APPROVAL OF AGENDA

**Additions:** IV. F. 3. e. 15 MN Ave. N  
IV. G. 2. DOGR Permits  
IV. G. 3. Allocations

**Deletions:** IV. K. e. Street Light at southbound Hwy. 52 exit (at north end of town).

Mayor Scott Keigley motioned to approved the agenda with the above changes, Councilor Kevin McDermott second; all in favor, motion carried.

#### IV. DEPARTMENTS & COMMITTEE REPORTS

##### A. OCSO ~ Sgt. Clayman

Sgt. Clayman discussed the process and follow-up that his department does for dog bites.

##### B. FIRE DEPARTMENT ~ John Stolp, Fire Chief

###### 1. Fire Department Wages

Mayor Scott Keigley motioned to approve 2007 wages, Councilor Brian Breider second; all in favor, motion carried.

###### 2. New Member ~ Corey Schultz

Councilor Brian Breider motioned to table Councilor Jackie Hall second; all in favor, motion carried.

###### 3. New Member ~ Adam Jurrens

Tabled

###### 4. Retirement ~ Danny Ondler

Council thanked Mr. Ondler for his 32.5 years of service, and congratulated him on his retirement.

###### 5. 1 Run: A vehicle rollover on Highway 52.

##### C. FIRST RESPONDERS

###### 1. Calls: 5 Total ~ 4 Township, 1 City

###### 2. 1<sup>st</sup> Responder Wages

Mayor Scott Keigley motioned to approve 2007 wages, Councilor Brian Breider second; all in favor, motion carried.

##### D. EOC ~ Dennis Blanck, EOC Director

Mayor Scott Keigley motioned to pay EOC Director's fees to Mr. Blanck, Mayor Scott Keigley second; all in favor, motion carried.

##### E. PERSONNEL COMMITTEE\*

###### 1. Personnel Committee Met 11/15/07

###### a. Sandy Jessen ~ 3 year Review

- Discussion items included Sandy doing an excellent job, job change from assistant clerk to part time clerk/ deputy clerk, justification of a 7.5% pay increase, job duties and additional responsibilities, LMC salary survey of pt deputy clerks, and job performance in Clerk's absence. **Mayor Scott Keigley motioned to change Sandy's job title to Deputy Clerk with an increase of \$1.00/hour (7.5%), Councilor Kevin McDermott second; all in favor, motion carried.** Effective date is employee hire date.
- b. Tim Redepening ~ 6 month Review  
Discussion included Tim excelling in all aspects of his job, moving Tim to an unsupervised position with maintenance items going through Mayor Scott Keigley and Councilor Kevin McDermott, pesticide application, and having further discussion on IFMA program. **Councilor Kevin McDermott motioned to move Tim to an unsupervised position, and be given a raise of \$1.50/hr. (11%) to \$15.00 per hour, all in favor, motion carried. Mayor Scott Keigley motioned to remove Tim from probationary period, Councilor Jackie Hall second; all in favor, motion carried. Mayor Scott Keigley motioned to have Tim receive full time employment health care reimbursement benefits, Councilor Kevin McDermott second; all in favor, motion carried.** This is effective at 6 months from date of hire.
  - c. Payroll Step Program  
Personnel committee is not ready to move forward at this time.
  - d. Sick Leave  
A special meeting has been set up for Dec. 12<sup>th</sup> at 8pm to discuss this with personnel.
  - e. Request from Clerk/ Asst. Clerk  
Discussion on what/ where a gift certificate should be offered to employees. **Councilor Jackie Hall motioned to give both employees a \$100 gift certificate to a place of their choice for the extra work entailed during absence of maintenance/groundskeeper in April/May, Councilor Kevin McDermott second; all in favor, motion carried.**
  - f. LMC Loss Control Letter  
Reply letter was sent, this was an FYI for Council.
  - g. Safety Committee  
Clarification that work needing to be done in City's confined spaces will be hired out. **Councilor Kevin McDermott motioned to approve the document, Councilor Brian Breider second; all in favor, motion carried.**
2. Monday, December 24<sup>th</sup>  
**Mayor Scott Keigley motioned to close City Hall on December 24<sup>th</sup>, with personnel using their vacation hours, Councilor Brian Breider second; all in favor, motion carried.**
  3. Email Policy ~ *Councilor Brian Breider*  
Discussion on the need for this policy and make sure all committee members are aware of it as well. **Councilor Brian Breider motioned to approve, Mayor Scott Keigley second; all in favor, motion carried.**

#### F. ORDINANCES & RESOLUTIONS

1. Animal Control Officer  
City Clerk Cheryl Nymann reported numerous resumes were received, however only rfp was received. Council voiced concern on the distance issue of the applicant. **Mayor Scott Keigley motioned to table (withdrew). Mayor Scott Keigley motioned to deny RFP because of the distance, Councilor Brian Breider second; DISCUSSION:** City of Rochester, Marion Township, and City Kennels, this is a pressing need for the City. **AYES: Mayor Scott Keigley, Councilor Jackie Hall, Councilor Kevin McDermott, Councilor Brian Breider; NAYE: Councilor Tom Novak, motion carried.**
2. Dangerous Dog Ordinance  
Tabled
3. Ordinance Violations\*
  - a. Dog at Large on Treetop Lane SW  
City Clerk Cheryl Nymann reported they came in for dog license, and are aware of ord.
  - b. Dog Bite on 7<sup>th</sup> Street SW, Event Report from OCSO  
City Clerk Cheryl Nymann reported they were ticketed on Sunday. Ms. Anderson was present and will make an appointment with City Hall to get dog license and present shot records.

- c. 105 1<sup>st</sup> Ave NE wood burner, smoking out neighbors  
Discussion included stacking of pallets and it is a violation of Ord. 132, and smoking out the neighborhood; and Eyota's ord. on this. **Mayor Scott Keigley motioned to send the outdoor wood burning stove to P & Z, Councilor Jackie Hall second; all in favor, motion carried.**
- d. 715 1<sup>st</sup> St NW  
City Clerk Cheryl Nymann reported that they were ticketed again. Discussion on remaining pile, and personal use of it. **Mayor Scott Keigley motioned to take no further action at this time, Councilor Brian Breider second; DISCUSSION:** Council will keep an eye on this, and check it next spring. **All in favor, motion carried.**
- e. 45 9<sup>th</sup> Avenue NW  
Complaint received again on junk cars and garbage on property. **Councilor Tom Novak motioned to send a letter to clean up within 30 days, Councilor Brian Breider second; all in favor, motion carried.**
- f. 15 MN Avenue N  
Phone calls received, however no formal complaint received on the junk around the house as well as a semi trailer parked on top of hill. **Mayor Scott Keigley motioned to send a letter and copy of Ordinance Violation after a formal complaint has been received, Councilor Jackie Hall second; all in favor, motion carried.**

Council called for a recess at 8:40pm

Council reconvened at 8:50pm & PUBLIC FORUM was moved up on the agenda

- 4. Subdivision Ordinance  
Tabled
  - 5. Code of Ordinance Renumbering  
City Clerk Cheryl Nymann and City Attorney Tom Canan will continue work on this. **Mayor Scott Keigley motioned to table this and begin the process of reviewing one ordinance per month, Councilor Jackie Hall second; all in favor, motion carried.** City Attorney Tom Canan will email Plainview's code to City Clerk Cheryl Nymann.
  - 6. Sexually Oriented Businesses  
This is on the books under 'prostitution'. P & Z still needs to review.
- G. DOWNTOWN ORONOCO GOLD RUSH DAYS ~ *Danny Ondler, DOGR Chair*
- 1. Bill from City Hall for STS Crew's food, etc.  
It was reported that this will be paid. Next year they will not pay for food to STS crews prior or after DOGR, and all expenses must be preapproved by DOGR.
  - 2. DOGR Food Permits  
Discussion included how the City justifies \$200 / permit plus request for reimbursements, renting community center for DOGR, hiring person to take care of facility during DOGR, and having City Clerk Cheryl Nymann prepare a cost estimate on Food Permits for their January meeting.
  - 3. New Officer for 2008: Co-Chairs: Councilor Jackie Hall, Councilor Kevin McDermott; Treasurer: Councilor Brian Breider; Secretary: Joanne McDermott.
  - 4. 2007 Allocations:
 

|                          |            |  |
|--------------------------|------------|--|
| Oronoco First Responders | \$1,000.00 | <i>Equipment</i>   |
| Oronoco EOC              | \$ 850.00  | <i>Radio</i>   |
| Camp Companion           | \$1,000.00 | <i>Spaying &amp; Neutering</i>                           |
| City Hall                | -0-        | <i>Blinds for Windows in Council Chambers &amp; Srs.</i> |
| <i>Room</i>              |            |  |
| City Events              | \$8,000.00 | <i>Clean Up Days, 4<sup>th</sup> of July, NNO</i>        |
| Pine Island Cub Scouts   | \$ 750.00  | <i>5 Dens, Use for Projects</i>                          |
| Oronoco Fire Department  | \$2,497.00 | <i>Equipment</i>   |
| Grace Lutheran Church    | \$5,000.00 | <i>Lot G</i>   |
| Grace Lutheran Church    | \$1,200.00 | <i>Youth Group to Dallas, TX</i>                         |
| Gold Rush                | \$1,200.00 | <i>Software &amp; Consultation Fees</i>                  |
| Gold Rush Seed \$        | \$5,000.00 | <i>MLT, Phone, Pre-Advertising</i>                       |
| Lake Shady               | \$1,000.00 | <i>Consulting Fees</i>                                   |

|                              |                  |  |
|------------------------------|------------------|--|
| Oronoco Area History Center  | \$ 500.00        | Label maker, Mannequins, Printer       |
| Oronoco Cemetery Association | \$2,000.00       | Memorial bench for area of stillborns  |
| Oronoco Cemetery Association | -0-              | Finish Blacktopping Roads              |
| Oronoco Cemetery Association | \$1,000.00       | Replace Existing Mower                 |
| Parks & Trails               | \$2,500.00       | Park Improvements & Additional Signage |
| P.I. Area Home Services      | \$2,500.00       | Programming for elderly in Oronoco     |
| P.I. Post Prom Committee     | -0-              | Prizes, entertainment, etc.            |
| Oronoco Presbyterian Church  | \$4,500.00       | Sunday School Room Renovation          |
| Oronoco Presbyterian Church  | \$ 500.00        | Stairway Repair                        |
| Oronoco Presbyterian Church  | \$ 700.00        | Peace Camp                             |
| Oronoco VFW                  | \$2,000.00       | No Specific Request                    |
| Oronoco Senior Citizens      | <u>\$ 200.00</u> | No Specific Request                    |
| TOTAL:                       | \$44,197.00      |  |

H. PARKS & TRAILS ~ *Matt Jennissen, Chair*

1. Letter from the Parks Committee\*

Councilor Kevin McDermott reported for the Parks Committee: The City has nice parks and now there is a need to maintain them with items such as rock for ball field, wood chips on playgrounds, drag needed, gravel for trails, etc. City Clerk Cheryl Nymann clarified mower and tree portions of the budget; Clarification on budget area for parks. City Clerk Cheryl Nymann will insert Parks Maintenance as line item in budget.

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

1. Revised Mitigation Plan

J. COMMUNITY CENTER

1. The remodeling in the Clerk's office looks nice. It was clarified that Councilor Jackie Hall & Councilor Kevin McDermott are on the Community Center Committee and they are to meet on Community Center needs.

K. STREETS & ROADS

1. Street Lights

- a. Street Light at intersection of MN Ave S and 2<sup>nd</sup> Ave SE
- b. Street Light at intersection of MN Ave S and Cedar Point Dr SE
- c. Street Light at intersection of MN Ave S and CSAH 112 (cost share w/ township)
- d. Street Light at intersection of 3<sup>rd</sup> Ave SW and CSAH 12 (city responsibility)
- e. **Street Light at southbound Hwy. 52 exit (at north end of town).**

The City should also consider the recently annexed part of the City as well: Similar as to what else is in town; 250w to light up the intersections. **Mayor Scott Keigley motioned to install street lights in Zumbro Hills at 3 intersections (Lone Oak LN & Zumbro Hills Drive, Cedar Ridge LN & 7<sup>th</sup> Ave SW, and Zumbro Hills Drive) to match existing ones in the area; as well as the above and 4 output lights; Councilor Jackie Hall second.** DISCUSSION: City Engineer Joe Palen gave price estimates that would cost \$700 more per light in the Zumbro Hills Subdivisions. **All in favor, motion carried.**

2. Request from Dan Fitzpatrick to take over Riverwood Hills I, II, III, and IV roads (both public and private).

City Attorney Tom Canan gave 3 options on culvert warranty and recommended that the City should have a financial guarantee with the work. Bonestroo took culvert measurements to have baseline to start from. At some point the culvert will have to get fixed; Option of sleeving it. If catastrophic failure (which is very low), temporary access out to 100<sup>th</sup> Street and costs would be significant. The warranty is over 5 years, and if it settles over 1/4" it's considered failure. (City wants a tight tolerance). There were definite issues with installation of this oversized culvert. There is nothing in Development agreement that says a developer should use new/not salvaged items. Want to have the financial guarantee easily readable. City Engineer Joe Palen sent copies to Mr. Fitzpatrick. City Clerk Cheryl Nymann reported Mr. Fitzpatrick's discussion was that the City should choose which agreement they want, and then forward to him for his lawyer's review. **Mayor Scott Keigley motioned to send Dan letter to accept streets in RWH I, II, III, and IV with option**

**#2 agreement (amended to include that the 2 punch lists received from City Engineer Joe Palen must be completed first). Councilor Tom Novak second;** DISCUSSION: Mayor Keigley amended his motion as stated previously. It was clarified that both lists include streets and storm water/sewer repair. **All in favor, motion carried.** Mr. Fitzpatrick will still have the right to go into ROW to maintain sewer and water.

3. Riverwood Drive Culvert Repairs & Guarantees\* (3 separate documents)  
*See above*

4. West Frontage Road ~ *City Engineer Joe Palen, Mayor Scott Keigley*  
Not too late to submit a request to MnDOT. City Engineer Joe Palen recommends submitting something before January, and to point out items such as the City's LGU significantly lower than similar sized Cities in the State, feasibility study, history with MnDOT and make the request. Cost for Bonestroo would be 4-5 hours. Engineering work done, just pulling data together, writing letters and sending it off. **Mayor Scott Keigley motioned to allow up to 4 hours to request bonding for west frontage road project, Councilor Kevin McDermott second;** DISCUSSION: Should also put in the City's looming bill for sewer and water (CIP), and devotion of funds, etc. **All in favor, motion carried.**

5. Partial Pay request for 5<sup>th</sup> Street SW\*  
Work nearing completion, restoration work remains. City Engineer Joe Palen recommended payment for work completed with exception of 5% retainage, for a total \$22,309.10. **Mayor Scott Keigley motioned to pay recommended amount, Councilor Jackie Hall second; all in favor, motion carried.**

L. PLANNING & ZONING ~ *Carl Reiss, Chair*

1. Planning & Zoning Recommendations

a. Parking Ordinance

Discussed recommendations from P & Z on parking ordinance, and parking of seim-trailers on property / in streets. P & Z needs to determine criteria. Issue lies when the trailers remain for an extended period of time. City Clerk Cheryl Nymann will contact LMC with a model ordinance in parking (Plainview has one that covers this). Complaints received now are already being addressed. According to Council, keep parking ordinance as is, but address the semi issue. Neighborhood covenants should cover this as well.

b. Livestock

Discussion on Mr. Merced animals: He was denied that while we have current ordinance. If this guideline is rescinded, on table now they can have one now. R-1 can't have livestock now on property. **Councilor Tom Novak motion to change Section 1.44 to state "Any grazing animal, poultry or other fowl (not including dogs, cats and birds including animals used for commercial sale.....and to rescind Livestock Guidelines with the exception of one application that the City currently has, Councilor Jackie Hall second; all in favor, motion carried.**

c. Drainfields

Put comments in subdivision ordinance about dressing up the drainfields (i.e. white fence around River Park Subdivision). City Engineer Joe Palen MPCA will have some thoughts on this as well.

d. New updates to web site.

Website discussed and how cumbersome it is to post data, update frequently, etc. and that this is an additional duty that Sandy could perform. The City will look at a different host, however, in the meantime, items should continue to come into City Hall.

2. Summary of Applications

12 new homes so far this year.

M. HIGHWAY 52

1. Letters to/ from MnDOT

a. Memo Dated Oct. 5, 2007 to MnDOT & Response

b. Mark Kuehn Driveway

c. Hydraulic Reports ~ Nothing received yet

They were backlogged because of the 35W bridge collapse, and just forwarded it to the Data Practices request from City Attorney Tom Canan to the Rochester office.

- d. Letter Dated 11/2/07 from MnDOT
- e. West Frontage Road Snow Removal

Who's responsibility to plow this road? Not an obligation of the City. Letter from MnDOT that the responsibility to plow this was in the County's agreement, not the City's. **Mayor Scott Keigley motioned to send a letter to Olmsted County (Mike Sheehan) and cc MNDOT, stating 1) the City is not responsible for maintaining the west frontage because it has not been turned over to the city; 2) It is not in the Agreement with MnDOT; 3) the City could help out the County and maintain it and send a bill to the County (because it's not in our maintenance agreements), Councilor Tom Novak second; DISCUSSION: Councilor Kevin McDermott and Mayor Scott Keigley will be contacted. And, if the County chooses #3 above, it needs to be clarified that if the City plows the west frontage, it does not mean acceptance of the road. All in favor, motion carried.**

#### N. WATER & SEWER

- 1. Flow Analysis ~ City Engineer Joe Palen

City Engineer Joe Palen discussed the flow analysis report for sanitary sewer flows for the City. He recommended that he approach Sewer and Water Committee, send info to Elk Run, and Pine Island for review and coordination of the next steps. Projection data good for which option the City chooses to do. It is a starting point. **Councilor Tom Novak motioned to send this off to Elk Run, City of Pine Island, Mayor Scott Keigley second; all in favor, motion carried.**

- 2. Pine Island / Elk Run Draft AUAR\* ~ City Engineer Joe Palen - See CD Attachment

CD enclosed in Council Packets. Not much of a mention of Oronoco. Projections that there could be 15,000 people added between Pine Island and Oronoco. Interchange between Oronoco and Pine Island would affect the transportation flows on the overpass. Written comments accepted until December 5<sup>th</sup>. **Councilor Tom Novak motioned to send concerns to Abraham in Pine Island, Mayor Scott Keigley second; DISCUSSION: Send the letter now, and inform him that another may be sent as well. All in favor, motion carried.** City Engineer Joe Palen, Councilor Tom Novak don't need to review it at this time, per Council consensus.

#### V. PUBLIC FORUM

Joy Bertsinger (600 6<sup>th</sup> St NW)

Ms. Bertsinger brought forth a concern that residents who cannot make it to the Council Meetings rely on the website to gather knowledge about the City, and encouraged Council to have timely information on the website.

#### VI. PETITIONS, REQUESTS & COMMUNICATIONS

- A. LETTER OF CONGRATULATIONS TO City Clerk Cheryl Nymann FROM IIMC REGION VI DIRECTOR ON ACHIEVEMENT OF CMC (CERTIFIED MUNICIPAL CLERK) DESIGNATION

CMC completed, Council congratulated City Clerk Cheryl Nymann.

- B. MINNESOTA SESQUICENTENNIAL COMMITTEE

Cannot get together to submit.

#### VII. UNFINISHED BUSINESS

- A. SCHOOL DISTRICT BOUNDARIES\* ~ Councilor Tom Novak

Meeting one year ago with the Supt. of the School districts and the boundaries are jagged throughout northern portion of Olmsted County. Unfair taxes for the school districts. Councilor Tom Novak asked if the City should build a consensus on this issue. Mayor Scott Keigley mentioned that there are 3 Council members with children in schools and asked City Attorney Tom Canan if there could be a possible conflict of interest. It has to be started at the local level, and can be done, per Councilor Tom Novak conversation with Dave Senjem. Open enrollment would still be available for students, even if



*November 19, 2007 Regular Council Meeting*

**Councilor Kevin McDermott motioned to adjourn at 11:12pm, Councilor Jackie Hall second; all in favor, motion carried.**

Respectfully Submitted:

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Scott Keigley, Mayor

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Cheryl Nymann, CMC, City Clerk/Treasurer