

City of Oronoco
Regular City Council Meeting Minutes
June 15, 2009 @ 7:00PM

I. CALL TO ORDER

The meeting was called to order 7:03pm.

II. ROLL CALL

Members Present: Mayor Scott Keigley, Councilor Brian Breider, Councilor Jackie Hall, Councilor Paul Briggs, Councilor Kevin McDermott, Attorney Fred Suhler, Clerk Sandy Jessen.

III. APPROVAL OF AGENDA

Additions: VIII. A. Cameron Dyrseth appeal to assessment

Mayor Scott Keigley motion to approve the agenda Councilor Jackie Hall, 2nd all in favor, motion carried.

IV. PUBLIC FORUM

Attorney Paul Grinde requested to move Jackie Stevens request up on the agenda to the Public Forum. One way to allow Ms. Stevens to keep her animals was to propose an ordinance to the city; he has put together a proposed ordinance that would allow Ms. Stevens to keep the animals that she has now: 4 goats and the chickens. She would not add more animals and would only be allowed to keep the animals that she has now. She would be agreeable that if the property changes hands that the ordinance would not allow a new owner to have animals. When she purchased the property she thought she was able to have animals. The city could set the lot size at 7 acres or more. The ordinance would allow only her property to keep the animals; she would be amenable to other rules and restrictions. Councilor Brian Breider; she was in violation with the chicken coop size. Attorney Paul Grinde; if she is allowed to keep them the structures she would have to come into compliance. **Mayor Scott Keigley motioned to accept Mr. Grinde's proposal and send to planning and zoning, Councilor Kevin McDermott second;** Discussion: timeline; are the animals supposed to be removed? She was given 60 days from the last meeting. **All in favor, motion carried.** Discussion: Planning & Zoning meets July 7th, should the animals be allowed to stay during this period of time. There is no intent to have more animals just the existing. The concern is with the members of community; they have complained about the animals. **Mayor Scott Keigley motioned to allow the animals to stay until July 8th until Planning & Zoning meets, and if they deny the proposal, the animals will be removed, Councilor Kevin McDermott second.** Discussion; if Planning & Zoning denies the ordinance proposal it will not be brought back in front of City Council. **Ayes: Councilor Kevin McDermott, Mayor Scott Keigley. Nays: Councilor Brian Breider, Councilor Jackie Hall, Councilor Paul Briggs, motion fails.** The guidelines will remain.

The Public Forum was closed at 7:30pm.

V. DEPARTMENTS & COMMITTEE REPORTS

A. OCSO ~ Sgt. Mike Morrow

B. FIRE DEPARTMENT ~ Chris Stolp, Fire Chief

1. Runs – 2 Medical Assists
2. Rochester Fire Contract – 1st half of contract payment due - \$10,079.50 – 0 calls.
3. Pine Island letter – Township Building Burn*: Pine Island is planning on burning down the township building at Caryl Cowden Park for training at the request of the Township Board. Want to make sure the City Council is aware that the township has been working with Pine Island Fire. Pat Pike; the inspections have been completed, the township hired a contractor that looked for hazardous material and they have not received those results. Councilor Brian Breider; will the trees be affected? Pat Pike; there are a couple of oaks that are relatively close; will try to keep the flames away from them, but there are no guarantees with trees. Smoke with the residents; should not be an issue, they will burn on a calm day. Will

Oronoco Fire be invited? There are two types of training; this is a minimum training, Pine Island hoping to be there two hours and then be gone, it is not a great training benefit, but Oronoco Fire is welcome to come up there, they may not use any water at all. The city would like to know the results of the tests when they are received. The City will sign the letter sent.

4. Brian Sisell – new member
5. The Oronoco Fire Dept. will be selling strong beer not 3.2 at Gold Rush and they will sell brats on Thursday night. Gold Rush may have the ATM at the Fire Dept. they need the space and security, and they may possibly have donuts Sunday morning for the vendors. The Fire Dept. may fence an area off. The outside lights are not working correctly; Tim will look at and the repairs will come out of the Fire Dept. budget under R & M buildings. The VFW is looking for volunteers for Flag Day and Memorial Day putting up flags.

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

1. Runs – 2 Township
2. A past member's father passed away and the 1st Responder's would like to donate a \$30 memorial. **Mayor Scott Keigley motioned to spend \$30 out of the Memorial Fund, Councilor Kevin McDermott second; all in favor, motion carried.**

D. EOC ~ Chris Stolp, Director

E. PERSONNEL

1. Passport Training Online – Lynn Karsten; there is Passport Training available on line for free.

F. ORDINANCES & RESOLUTIONS

1. City Code – update; P&Z has provided some recommendations and we are working on adding the 3.2 beer language and recreating the burning ordinance. Will be complete by the next meeting.

G. DOWNTOWN ORONOCO GOLD RUSH DAYS* ~ Co- Chairs Councilor Kevin McDermott, Councilor Brian Breider.

1. Meeting Minutes
Gold Rush is giving recognition for the vendors with badges, there will be an ATM this year possibly at the Fire Dept. and breakfast event with coffee and donuts to get the vendors to come and give feedback on the show from 6:30 – 8:30.m. on Sunday morning. They are putting out a flyer with advertising; a business card size is \$50.

H. PARKS & TRAILS*

1. Meeting Minutes: parking lot construction should begin in June for the canoe landing, discussed mulch for around trees, and discussed 3rd Ave Park and budgeting.
2. Novak landscaping; e-mail notice received that they are leaving a tree until it goes dormant this fall. Park committee is confused on whether any action can be taken. The rest is being moved so Council doesn't see a problem with the one tree waiting until it goes dormant.
3. Oronoco Park – future plan parks will meet with Tim to look at the park so the City can be efficient and maintain the park in an efficient way. Councilor Paul Briggs contacted Demmer and Senjem for a waiver on what could be done with the park. The personnel committee will also discuss with Tim some plans and options. There has been a new roof done and have painted the buildings. July 31st the City takes over. Mayor Scott Keigley; set a special meeting for both the park and dam. The next meeting for parks is July 6th at 7:00pm; do a joint City Council, Parks, and with the Mohlke's meeting.

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

Water level is back up to the summer level and Randy Bartz videoed the flashboards being put it. It went smoothly, with no problems.

J. COMMUNITY CENTER*

1. Entrance Door – the opener is broken and will cost \$450.00 for the part for Tim to repair, it is not covered under warranty. A new opener is \$3000. **Mayor Scott Keigley motioned to replace the part for \$450, Councilor Kevin McDermott second; all in favor, motion carried.**

K. STREETS & ROADS*

1. Frontage Road
 - a. MNDOT - With the slope of the road does the city need to consider drainage, there is a concern of washout. City Engineer Joe Palen; MnDOT will probably propose urban road, the low point would be near Mom's Antique, the grade should not be excessive, the storm water pond MnDOT may choose to construct a smaller pond or some type of ditch and swale. There is a significant watershed there, prefer to see one larger pond but it does not necessarily need to be with this project.
 - b. Township – two members were invited to discuss the frontage road and were not able to attend.

L. PLANNING & ZONING*

1. Meeting Minutes

Recommendations from P & Z for the sign ordinance and the shed are to follow the county ordinance Section 180.10 to state: Maximum size of signs will comply with Olmsted County standards. Section 180.11 b) to state: The top of a sign, including its superstructure, if any, shall not exceed a total height of 30 feet above the surface of the adjacent roadway. Section 180.13 c) to state: The top of a sign, including its superstructure, if any, shall not exceed a total height of 30 feet above the surface of the adjacent roadway. Section 603.05, 2nd bullet item: change to; ...shall not exceed one (1) story or nine (9) feet in height and shall not occupy more than 120 square feet. Any accessory building exceeding 120 square feet or not complying to this subsection shall require a permit and approval/review of Planning and Zoning. Discussion: Signs next to 52 would be above that pole sign height, with the frontage road through the Hall property businesses may come in wanting a variance request for a large sign near where the overpass is. **Mayor Scott Keigley motioned to accept the revisions to the ordinances, Councilor Jackie Hall second; all in favor, motion carried.**

M. WATER & SEWER*

1. Geotechnical Report – Chosen Valley; \$4000.00 – Summary of the report is in the packet and the full report is available for view at the City Hall Office. **Mayor Scott Keigley motioned to pay Chosen Valley for the work performed, Councilor Brian Breider second; all in favor, motion carried.** Councilor Brian Breider asked if the geopiers couldn't be bid out. City Engineer Joe Palen; the geopiers were bid out. The Geopier Company does this specialized, it is a patented product.
2. Updates: the plans and specs are out, the bid date is July 2nd, the geological study should be received soon and it will be submitted to the Health Department and then we will need to publish the findings. The easement documents up on 2nd Ave.; the homeowners requested that it was shifted so they were revised. The Health Department permit has been submitted, the MnDOT permit, the 2 DNR permits, and the county permit need to be signed and one needs a check cut. Along 12th Street, planned to have the lines ran on the south side; half of the road belongs to the township so the City needs to send a letter to ask for permission to use the easement. There is a potential need for another Special CC meeting when the bids come in to discuss the bids, water rates, and assessments; the project can't be awarded until the PFA funding is approved. Special CC Meeting set for July 8th at 6:30pm. Attorney Fred Suhler will contact the Rucker's attorney this week. The City may need to start the condemnation process even if the city plans on acquiring the property without it. The city has not had an update on the appraisal that the Rucker's received; it was supposed to be done June 2nd. Attorney Fred Suhler will request for them to come back with a counter offer by the end of the month. The DNR permit is \$500.

VI. PETITIONS, REQUESTS & COMMUNICATIONS*

1. SE MN Rail Alliance – request for resolution of support from City Council for an objective analysis of all potential routes for a high speed rail line. No motion made.
2. MAOSC – dues \$554.25; the city did not renew this last year. Do not renew this year.
3. Admin MN – population estimates 2008 – 1113, households – 438; would the city like to accept these numbers? **Mayor Scott Keigley motioned to not accept the Admin population estimates; Councilor Jackie Hall second**, discussion; talk to Phil Wheeler at Olmsted County; they seem to have a good handle on the population of city information and see if they can help us. **All in favor, motion carried.**

VII. UNFINISHED BUSINESS*

- A. Task List
- B. Jackie Stevens – animals – Jackie’s attorney has sent a letter of intention of proposing an ordinance change that would allow her animals to remain. This was addresses at the Public Forum portion.

VIII. NEW BUSINESS*

- A. Cameron Dyrseth appeal to assessment; statute requires that they file a notice of an appeal within 30 days and to file with the court within 10 days of that, it will cost them approximately \$275 to file, it will be placed on the courts calendar and will be heard by the court. There is not an idea of the time table, let the process take its course. His property would come up as having an assessment on the property taxes.

IX. CONSENT AGENDA*

A. APPROVED BUILDING PERMITS*

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|---------------------|-----------------------|------------------|
| 1. Brian Breider | 1180 Riverwood Dr SW | deck |
| 2. Andrew Henderson | 1030 Riverwood Ln. SW | deck |
| 3. Josh Halvorson | 755 River Park Pl SE | new construction |
| 4. Adam Brase | 545 Sunny View Ln. SW | screened deck |
| 5. Dan Simons | 1099 Lone Oak Ln. SW | gazebo |
| 6. Dan Reiner | 786 River Park Rd SE | deck |

B. MEETING MINUTES

1. Regular City Council Meeting Minutes – 5-18-2009
2. Special City Council Meeting Minutes – 5-29-2009
3. Special City Council Meeting Minutes – 6-8-2009

C. FINANCIALS

1. MBIA Account Summaries
2. Budget – available at the office to view
3. Accounts Payable ~ General & Special Funds
4. Accounts Receivable & Unpaid Bills
5. Transaction Report

Mayor Scott Keigley motioned to accept the consent agenda, Councilor Paul Briggs second; all in favor, motion carried.

Mayor Scott Keigley called for a 5 minute recess and the meeting will reopen in closed session.

X. CLOSED SESSION

Mayor Scott Keigley motioned to close the closed session at 9:00pm Councilor Jackie Hall second, all in favor, motion carried. The Regular CC Meeting was opened at 9:00pm. **Mayor Scott Keigley motioned to pass on to the Fire Dept under no circumstances are they use to the River Park well, Councilor Paul Briggs second; all in favor, motion carried.**

XI. ADJOURNMENT

June 15, 2009 Regular Council Meeting

Mayor Scott Keigley motioned to close at 9:05pm Councilor Jackie Hall second; all in favor, motion carried.

Respectfully Submitted,

City Clerk

Mayor