

**City of Oronoco**  
**Regular City Council Meeting Agenda**  
**October 19, 2009 @ 7:00PM**

**I. CALL TO ORDER**

Mayor Scott Keigley called the meeting to order at 7:05pm.

**II. ROLL CALL**

Members Present: Mayor Scott Keigley, Councilor Brian Breider, Councilor Jackie Hall, Councilor Jackie Hall, Councilor Brian Breider, Councilor Paul Briggs, Clerk Sandy Jessen. Attorney Fred Suhler arrived at 8:05pm.

**III. APPROVAL OF AGENDA**

Rochester Bldg Safety will be added under Planning & Zoning L.2. **Mayor Scott Keigley motioned to approve the agenda, Councilor Jackie Hall second; all in favor, motion carried.**

**IV. PUBLIC FORUM**

Mayor Scott Keigley called three times for public forum; no one came forward, the public forum closed at 7:06pm.

**V. DEPARTMENTS & COMMITTEE REPORTS**

A. OCSO ~ Sgt. Mike Morrow

B. FIRE DEPARTMENT ~ Chris Stolp, Fire Chief

1. Runs – 6 medical assists, 1 mutual fire call with Mazeppa and then Mazeppa was called for mutual aid for the Schad Tracy call.
2. Letter for Daytime Coverage – the Fire Dept will be sending out a letter looking for daytime coverage for the city.
3. Fire Truck – Fire Safety Rep – The Fire Dept. has gotten a quote for a new fire truck for Council to consider and possibly incorporate into the revised CIP. Kim Clarey from Fire Safety was there to talk about the benefits of financing. Chris Stolp; would like the city to get on a plan for getting new trucks, and have them on a rotating plan. Kim; presented a reference sheet from Tax Exempt leasing corp. He tries to help customers by presenting fleet replacement ideas. Fire Trucks entry level cost can run from \$300,000 to \$350,000 which is very hard on the budget. Municipal financing for trucks is used for about 80% of purchases. If the City uses Tax Exempt Leasing Corp.: they can do municipal financing for up to 10 years. Nobody wants to use long term debt, but these are considered short term debt; they have an annual principle and interest payment, the first payment is one year after delivery. It defers payment for one year; the payment is not required to be deferred, but many do; you can set payment for when the city cash flow is best, the financing is fixed for 5.19% , and the rate factor of .13070 gives the annual interest and principle payment. The city can schedule a payment program to fit city needs; a down payment can be put down or not. Some cities do a 20 to 25 year replacement; scheduling a new truck for every 4-5 years. Fire trucks are going up 7% per year – if the city does financing, do it in the 4<sup>th</sup> quarter of the year, you beat price increases in January. Emissions; 2010 standards will be changing which will up the price and another EPA emissions will be coming 2011. If the city has any questions he is here to serve and can contact him for further information. Chris Stolp; looking for direction from Council on a fire truck; whether to look at new or used after the CIP meeting. The existing trucks are a 1992 for the main pumper, 1983 for the other pumper, and 1993 for the tanker. They will have gambling up and running by next year.

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

1. Runs – 11: 5 city, 6 township  
Mary Lubahn will retire from the 1<sup>st</sup> Responders as well as Jerry. Jerry will have 15 years and Mary a little less. They will be setting a date soon. She will also be ordering supplies.

- D. EOC ~ Chris Stolp, Director  
Sirens are up and running. They may eliminate some of the test pages or cut the time down.
- E. PERSONNEL
  1. Meeting Update 10-2-2009; Tim has been helping with the park and will be closing the bathrooms. Steve and Evelyn will be gone the month of January. Steve Wittlief was there and went over his duties. The city needs to request county records of the maintenance done. Sandy will request the records. Councilor Brian Breider motioned to request past maintenance records from the dam operations, Mayor Scott Keigley second; all in favor, motion carried.
  2. General discussion: great staff, Tim has stepped up, also would like to recognize Sandy for the time. **Councilor Brian Breider motioned for Sandy to receive an additional day off this year, for all additional work, Councilor Jackie Hall second;** Discussion: Councilor Kevin McDermott; Council needs to finalize the budget in December and take a look at the additional work. **All in favor, motion carried.**
  3. Christmas Eve Day- **Mayor Scott Keigley motioned to close Christmas Eve Day, Councilor Kevin McDermott second; all in favor, motion carried.**
- F. ORDINANCES & RESOLUTIONS
  1. City Code – update
- G. DOWNTOWN ORONOCO GOLD RUSH DAYS\* ~ Co- Chairs Councilor Kevin McDermott, Councilor Brian Breider.
  1. Meeting Minutes – distributing funds was completed.
  2. Peddlers’ Permit – a two part ord. was brought forward and will be looked at by the attorney.
- H. PARKS & TRAILS\*
  1. Meeting Minutes – Parks is working on getting quotes. The fence was ruled out, something simpler with marking posts as a guide for people. Parks is also asking Tim to put the skating rink together. Emerald ash bore – there is an informational meeting, but there are not many ash trees here.
  2. A letter was received today from the Novak’s asking about the trail.
- I. LAKE SHADY ~ Katie Dudley, Lake Shady Committee Chair\*
  1. MN Waters Membership - \$50 Zumbro Watershed – **Mayor Scott Keigley motioned to approve the payment to MN Waters, Councilor Brian Breider second; all in favor, motion carried.**
  2. Flashboard will be raised on Friday, October 23, 2009 at 8:30 pm.
  3. Membership Dues Requests - Zumbro Watershed Partnership and MN Waters
  4. Lake Shady Advisory Group Meeting and Update – there was a meeting today and one coming up next Monday night at 7:00pm for residents, there is an informational flyer available.
- J. COMMUNITY CENTER\*

Gold Rush will donate some new chairs.
- K. STREETS & ROADS\*
  1. MNDOT Payment Received - **Mayor Scott Keigley motioned to deposit the money into the Investment Fund, Councilor Paul Briggs second, all in favor, motion carried.**
  2. Street Repairs – put out call for bids in the spring.
- L. PLANNING & ZONING\*

1. Meeting Minutes -
2. Inspection Services –
  - Thomas Thompson – bid for service – he lives in Pine Island has been in Pine Island for 9 years; he also works for Wanamingo and Zumbrota. He gets paid quarterly based on the permit fees; the turnaround time for residential is 1- 2 days and commercial is 1 week. He is a one man shot; at some point Elk Run will take off and he can hire if need be at that point.
  - CMS – bid for service – Jay Krueger own business since June of 2000 and has been a building official since the late 80’s; he works with many townships and small cities in the area; they do small residential and large commercial, they have 8 person staff and request a 24 hour notice. He takes pride in helping to educate the contractors; he works just outside the city limits now. His fee schedule is based on about 85% of what the county charges right now.
  - Rochester Building Safety Planning – bid for service – Ron Buss; this is new territory to us, it’s the first time they have extended past the Rochester city limits: they have a large staff and would prefer to do all inspections and residents would then deal with one inspector. They have a computer program to check the website or log on for updates. It is Rochester’s fee schedule. The target time would be 24 hours; residential permits within two weeks, small additions are over the counter to issue the permit, commercial projects are at about 4 weeks depending on the size of the project.

Discussion: the city has until the first of the year to find someone and we have three bids to look at and would like the attorney’s input. **Mayor Scott Keigley motioned to accept the three bids and bring back to the next meeting, Councilor Brian Breider second; all in favor, motion carried.**
3. Communications Committee- they are getting the basics together, putting ideas together, there are seven volunteers and two are offering photography of the city.

#### M. WATER & SEWER\*

1. Minutes
2. PFA Real Property Declaration – needs to be signed and certified at the county. The attorney has looked it over and okayed it. **Mayor Scott Keigley motioned to approve the Real Property Declaration, Councilor Paul Briggs; second all in favor, motion carried.**
3. Updates – there was a preconstruction meeting last week; they will begin construction next week. They had talked about starting on 2<sup>nd</sup> Ave. NW where blacktop would need to be torn up, but it was decided that they should start lines at another location. Plans are to start some grading at the reservoir site as well. Jason Ottman on 1<sup>st</sup> Street SE it’s the last property on the east; he owns a shop there. Mr. Ottman said that he doesn’t want service, they were included in the assessments, but the building doesn’t have water and is not insulated. It is set to get assessed; there would be loss of the income. The telephone company has a building and they were not assessed as they don’t have water. Had we known prior he wouldn’t have been included in the project. **Councilor Paul Briggs motioned to pull back the assessment, Mayor Scott Keigley second; the city would eat it, there would be some less cost involved, the city will absorb the cost. Figure out how to get it done. All in favor, motion carried.** The office has been very busy with the assessments, PFA funding, and daily tasks. **Mayor Scott Keigley motioned to allow 10 more hours a week for the part-time clerk to assist with the water project, Councilor Paul Briggs second; all in favor, motion carried.**
4. Assessment schedules – 5 full and 1 partial assessment have been paid. Sandy has checked into a few accounting programs and also requested opening an additional checking account for the water project to make it easier to track. **Councilor Kevin McDermott motioned to open up a new checking account for the deposits received for the assessments, Mayor Scott Keigley second; all in favor, motion carried.**
5. Reconsideration of Adoption of Resolution 09-13; Attorney Fred Suhler; I think that the problem has been solved: If you were to defer assessments in a different amount they would not be uniform. The resolution doesn’t make reference to deferments. The

deferred assessment would not be assessed to the undeveloped lots; there would be a charge and the city needs to establish the fee ordinance to establish an availability fee or connection fee. The city can impose the fee whether or not there is a market value increase. If the council wants to something different they can revisit the resolution. With the parcels marked as deferred assessments the city would not add them to the assessment roll and not have them assessed by the county. The attorney from Kennedy Graven sent a letter from Mr. Doda asking if we actually assessed the lands; as of yet they have not been. The fee structure would include; create two levels of payment the lower amount where there have some paid through WAC and SAC and the downtown where there has not been anything paid towards infrastructure. The next order of business would be to complete the ordinance and the utility rate should be included within the ordinance. Attorney Fred Suhler can complete by next month. The lawsuit involving the Rucker's: there is a viewing of the property; it will be the 29<sup>th</sup> at noon. City Engineer Joe Palen will attend. Attorney Fred Suhler wanted commissioners to see the property before any changes to the property. Councilor Kevin McDermott: with the Jech litigation going on and he's a sub for the contractor, is there a conflict of interest with this? Attorney Fred Suhler; there is no direct contractual agreement with Jech; it is with the general contractor. The city engineer will be inspecting the project, **Mayor Scott Keigley motioned to do nothing with resolution 09-13, Councilor Jackie Hall second; all in favor, motion carried. Mayor Scott Keigley motioned have Attorney Fred Suhler draft an Ordinance, setting the fee structure for the undeveloped lots and lots splits, Councilor Brian Breider second.** Discussion: include the availability charge/fee for the cost of the original assessment and those that have some infrastructure the \$1000 fee, also include utility fees. **All in favor, motion carried.** The schedule for the project should be received soon and will be posted on the website.

**VI. PETITIONS, REQUESTS & COMMUNICATIONS\***

**VII. UNFINISHED BUSINESS\***

- A. Task List -
- B. Veolia – Attorney Fred Suhler; someone was complaining that Plainview should restrict hauling and give a single contract to a hauler. The MPCA had done a study and it showed rates were higher with competition as opposed to one hauler. The problem with Veolia is that they are in violation of the contract and the city doesn't have any way to stop them other than suing them or tell people to go out and get whoever they want to haul. Councilor Kevin McDermott; they will look at the recycling fees if the city will control the other haulers'. Attorney Fred Suhler; there is nothing that says they will charge separately for recycling. Also he is not convinced that they could charge a fuel surcharge. Eyota's contract was a whole new document that was drafted. It was not just extended. Attorney Fred Suhler can send a letter demanding they follow the contract. If they continue to disagree; can enter litigation, just let it go, or put it in the newsletter residents can shop around. Their excuse is valid with the recycling expense of \$85 per ton at Olmsted to burn or they can take it to Mnpls. for \$65 per ton. Their saving on operating costs by picking up every other week.
- C. Upstairs Bathroom – fee; the cost of the supplies is just over \$250, but that doesn't include labor, should it be included? **Mayor Scott Keigley motioned to not include Tim's time in the billing, Councilor Jackie Hall second; all in favor, motion carried.**

**VIII. NEW BUSINESS\***

**IX. CONSENT AGENDA\***

**A. APPROVED BUILDING PERMITS\***

- |                  |                         |                  |
|------------------|-------------------------|------------------|
| 1. Jeff Koski    | 1410 West Center Street | shed             |
| 2. Charles Hodge | 1280 Valley View Dr SW  | basement finish  |
| 3. Premier Bldrs | 1210 Istas Ln SW        | new construction |

**B. MEETING MINUTES**

1. Regular City Council Meeting Minutes – 9-21-2009
2. Special City Council Meeting Minutes – 10-6-2009
3. Special City Council Meeting Minutes – Public Hearing – 10-7-2009

C. FINANCIALS

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

Mayor Scott Keigley motioned to approve the consent agenda Councilor Jackie Hall second; motion carried.

Mayor Scott Keigley called for the meeting to break until the attorney arrived at 8:10pm; the meeting reconvened 8:17pm.

X. ADJOURNMENT

- XI. Mayor Scott Keigley motion to adjourn at 8:35pm, Councilor Jackie Hall 2<sup>nd</sup> all in favor, motion carried.

Respectfully Submitted,

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City Clerk

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Mayor