

**City of Oronoco**  
**Regular City Council Meeting Minutes**  
**April 20, 2009 @ 7:00PM**

**I. CALL TO ORDER**

**II. ROLL CALL**

All members present.

**III. APPROVAL OF AGENDA**

**IV. PUBLIC HEARING** – Cameron Dyrseth – Property Assessment – balance due is \$1032.92. Cameron Dyrseth submitted a letter from Dunlap and Seeger and an objection to the special assessment. Discussion: on the logic of him being billed for service of the property when he didn't own the property, also questioned why the City Council did not assess it in September of 2007 or 2008 as stated in Ordinance 133. The fees are due from the property and if Cameron does not pay for the bill, the city residents will end up paying it. **Mayor Scott Keigley motioned to accept the objection letter to the special assessment presented by Cameron Dyrseth, Councilor Kevin McDermott second; all in favor, motion carried. Mayor Scott Keigley closed the public hearing.** At this time no motion was made. It will be put on agenda for next month so that City Council can review the letter.

**V. PUBLIC FORUM**

Terry Ward – MNDOT\* - update on HWY project – map enclosed  
Elk Run Interchange and frontage road project – MNDOT submitted a letter of proposal to add the frontage road. This is contingent on Elk Run going forward: MnDOT would do a traffic study to indicate the need for this as part of the Elk Run project, the city would acquire the ROW and the necessary environmental documents, and MNDOT would add as an extension of the West Frontage Road south to Olmsted CSAH 12, the road would be realigned and would eliminate the existing curve. The City would acquire the ROW and MnDOT would temporarily take over the ROW until the road is complete; then it would be the city's responsibility. Discussion: by taking away the north access they would be taking away access for businesses. The first phase has to go through at Elk Run, the project needs to be viable, there is no funding yet but once it is received the project could start this year, the funding is last piece of the puzzle. Some of the property is owned by Tower, MNDOT is looking for an easement from them, acquisition could take a couple of years, and dates will be set once the property is acquired. Councilor Kevin McDermott; there is concern from the Fire Dept. that at the interchange the right on and right offs are lost and emergency vehicles need access. Discussion: The new overpass bridge is 1.5 miles, will confirm a spot for turn around, delaying the closure of the north right on right offs will be discussed, and can discuss the chance of cost share of the acquisition.

Kim Eckman asked for clarification of the west frontage road; it would be a continuation of Lake Shady Ave. south to the highway.

Tom Novak; 770 Valley View Road SW: regarding the easement on the property – request for council to table the issue until next month. He received a letter from the park board and they are looking to take 20 feet of the easement and want him to remove the vegetation. He previously received an e-mail from Lance Sorenson saying it would be a 6 foot walking path and they would be able to save most of the trees. He would like Council to take a look at the property and revisit the issue next month.

Mary Schmidt; 304 12<sup>th</sup> Lane SW: in regards to the conditional use permit for farm animals, she is concerned about the runoff, the land is mainly flood plain and that run off will not enhance the river and cause additional problems.

Chris Stolp: questioned why the north interchange would be closed. Terry Ward: it was always meant to be interim step until the interchange would be built at Elk Run. There could be additional ramps at some point in the future.

Closed Public Forum at 7:35pm.

## VI. DEPARTMENTS & COMMITTEE REPORTS

A. OCSO ~ Sgt. Mike Morrow

B. FIRE DEPARTMENT ~ Chris Stolp, Fire Chief

1. Runs – 3: 1 CO, 1 grass fire, 1 mutual aid house fire with Pine Island
2. Oronoco Firefighter's Relief Assoc. - \$8401.00 – **Mayor Scott Keigley motioned to accept the \$8401 from the Relief Association, Councilor Kevin McDermott second; all in favor motion carried.**
3. Grill - \$527.00 – request donation towards purchase – the Fire Dept would like the City to donate a portion of the cost of the grill from the Special Fund used for NNO and 4<sup>th</sup> of July, they will let the city use it at events. Councilor Kevin McDermott attended the Fire Dept. meeting. The city has purchased one grill, but is always looking for additional ones to use for NNO. **Councilor Kevin McDermott motioned to donate \$150 towards the grill from the Gold Rush donation funds for the city activities, Councilor Jackie Hall second; all in favor, motion carried.**
4. Training: Haz Mat for ½ the department and SCBA with search and rescue in the house on 5<sup>th</sup> St. The other half will take the training in the fall; it is paid for by grants. The Fire safety bill came in: the grant paid \$97,446 and the city is responsible for the balance of \$5178.85. **Councilor Kevin McDermott motioned to pay the balance out of the CIP fund, Mayor Scott Keigley second; discussion: make sure that it is taken out of the correct fund. All in favor, motion carried.** Most grants are a 5% match, some are a 50 - 50 depending on how much the city share is, should bring future grants before City Council to see if they should pursue them.  
Reid Hassler is no longer a member they will send formal letter to him. They now have 21 members.

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

1. Runs – 3: 2 City, 1 Township
2. Will be on standby for the Duathlon April 26<sup>th</sup>.

D. EOC ~ Chris Stolp, Director

Severe weather awareness is this week and they may add an assistant director.

E. PERSONNEL

1. Meeting update  
Meeting was on Friday: discussed safety, New City Hall hours are going fine; one customer per evening. Tim request to be off the week of the May 18<sup>th</sup> and talked about the ordinances.

F. ORDINANCES & RESOLUTIONS

1. City Code – update
  - a. Code 100, 200, 300, 500, 600, 700 – Final Review to be ready by May
    - 1) 3.2 malt liquor – nothing included for a gas station or grocery to carry 3.2 beer. Is this something that CC would like to add? **Mayor Scott Keigley motioned to add to the verbiage to include allowance of 3.2 beer sales, Councilor Paul Briggs second; all in favor, motion carried.**
    - 2) Transient Merchant section – review – are there any changes needed?  
No changes will be made.

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

1. Meeting Minutes - enclosed  
All members were present except Danny Ondler; the committee will not pursue the transient merchant permit for this year. They talked about the vendors and how to help them out with possibly using nametags, having a reception night, supplying a map hand out, having

complimentary parking, and letting vendors in early but not allow early set up; would work around the food vendors. They will also look for photo copy printer – fax machine.

H. PARKS & TRAILS\*

1. Meeting Minutes
2. Canoe Landing – update – The DNR is making a few changes; changing the drainage ditch so the water runs down the side and they are putting in some trees in.
3. 3<sup>rd</sup> Ave. SW Park – access – Need to find out who owns the road and keep it mowed when it's dry. It's so wet that there is not much that can be done there
4. Park Trail Entrance – Valley View Road SW (Novak landscaping) The Park Committee looked back through minutes and back in the fall 2007 the vegetation was to be removed; the easement is marked with flags. Also, there is a manhole down below that is still Fitzpatrick's that needs to be dealt with; it needs to be lowered. The city doesn't own the sewer system, not all issues were addressed on the punch list. The parks sent the letter to have the landscaping removed or they will have it removed after June 1<sup>st</sup>. Novak can contact Council and there is time that it can still be addressed at the next meeting. It will be posted as a walking trail only; not changing the surface or the grade. The landscaping needs to be moved because it is on city property.

5. Estimate for Chemicals - \$1485.00

**Mayor Scott Keigley motioned to spend \$1500 to treat the parks, Councilor Jackie Hall second; all in favor, motion carried.**

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

1. Opinion on Olmsted County Parks offer – they are interested in reviewing the contract when it is received.
2. An update on the flashboards for this spring – Heather met with JF Brennan today at the dam, their bid is \$3000 and they will remove logs for no additional cost unless they need to cut them up for removal, they will leave them on the shore for disposal. The committee recommends having Brennan lower the flash boards this spring and they received a bid from Rochester Service and they are \$45 above Brennan for possible future work. The county normally does the flash boards the 15<sup>th</sup> of May. The county will put together a letter allowing us to put them down earlier. **Councilor Kevin McDermott motioned to approve the \$3000 to lower the flash boards to come from donated funds: Mayor Scott Keigley second; discussion: the county will still remove them this fall, there is a public notice that needs to be made for the flash boards, Brennan has insurance. All in favor, motion carried.**
3. Lake Shady Advisory Group Update – continue to meet the first Monday of every month and will send updates as they are available.
4. Highway Clean Up Date for April or May – Thursday, April 23<sup>rd</sup> at 5:30pm.
5. Duathlon Volunteer requests for Sunday, April 26 – they may donate some of the proceeds to the Lake Shady Committee. Meet at the Community Center at 7:30 am.
6. Our Mission Statement and Committee Organizational Items – Heather Riess has accepted a Co- Chair position with the committee.
7. Our presence at the Ducks Unlimited Banquet in Mazeppa on Saturday. May 16 – Katie and Heather will put a display together for Katie to take.

J. COMMUNITY CENTER

Tim has the kitchen floor laid.

K. STREETS & ROADS\*

1. Olmsted County – maintenance agreement – contract for city street maintenance – **Mayor Scott Keigley motioned to contract with Olmsted County for street maintenance if needed, Councilor Kevin McDermott second; all in favor, motion carried.**
2. Street Cleaning – received three estimates: Rochester Service \$100 per hour, Rochester Sweeping Service \$85.00 per hour includes operator and \$20.00 per hour per man for a hand man, Wigham Services \$105 to \$110 per hour, transportation of sand \$75 to \$90 per hour. Rochester Service said could sweep on Wednesday of this week, **Councilor Kevin McDermott motioned to accept the bid from Rochester Service, Mayor Scott Keigley second, all in favor, motion carried.**

Councilor Kevin McDermott contacted Olmsted County and they will clean the overpass this week. The city will contact Olmsted County for an update on when pot holes will be repaired.

3. Notice for 2009-2010 Snowplow Bids\*: received one bid from Ottman Excavating for \$88 per hour for plow and sander, \$38 per hour for salt and sand, \$58 per hour for pickup with plow and sander, and a fuel surcharge rate for fuel above \$3.00 per gallon. **Mayor Scott Keigley motioned to accept Ottoman Excavating bid for 2009-2010 snowplowing, Councilor Kevin McDermott second; all in favor, motion carried.**
4. Notice for 2009-2010 Equipment & Rock Bids\* received one bid from Holm Bros. at \$15.52 per cubic yard of crushed rock delivered and truck spread and \$8.97 per cubic yard of rushed rock and quarry stockpile. **Mayor Scott Keigley motioned to accept the Holm Bros rock bid, Councilor Jackie Hall second; all in favor, motion carried.**

A five minute recess was called at 8:30 - Call back to order at 8:35pm

L. PLANNING & ZONING\*

1. Meeting Minutes – discussed the ordinances, Cowden Park and what to do in the future. Recommended the ordinances be taken off web site until the new code is completed.
2. Conditional Use – Jackie Stevens- **Mayor Scott Keigley motioned to accept the petition signatures, Councilor Brian Breider second; all in favor, motion carried.** Jackie thanked Council for looking at her property and is hoping to keep the animals and that council will grant the request.
3. Kim Eckman – dropped off a copy of the plat map that shows the property is 8.3 acres and submitted a letter (which is included in Council packets). She read the letter requesting that Council deny Jackie Stevens request.  
Jackie Stevens has the information that shows she has 9.5 acres, she has a backup plan to prevent the goats from being in the flood plain, and she will invest money to accommodate for the enclosures. Councilor Jackie Hall visited the property and said it's beautiful, but P&Z recommended denying because it is the city limits. **Councilor Jackie Hall made a recommendation that Council would deny the conditional use permit with the findings of fact that it is zoned residential and that P&Z recommended denying the permit; Councilor Paul Briggs second; discussion: who would inspect the property, asking to do something an ordinance doesn't allow, would need to change the ordinance. Ayes: Mayor Scott Keigley, Councilor Brian Breider, Councilor Jackie Hall, Councilor Paul Briggs, naye: Councilor Kevin McDermott, motion carried.** Discussion; the city is actually revising all the ordinances, but need to follow the law, there is a limited amount of resources; need to remove the animals unless there is a change in the ordinance. **Mayor Scott Keigley motioned to allow 8 weeks to have animals removed, Councilor Jackie Hall second; ayes: Mayor Scott Keigley, Councilor Brian Breider, Councilor Jackie Hall, Councilor Paul Briggs, naye: Councilor Kevin McDermott, motion carried.**

M. WATER & SEWER\*

1. Meeting Minutes – March meeting was postponed
2. Wastewater Project Priority List application – due May 1<sup>st</sup> –a signature is required. This is for placement on the project priority list. Targeting the older areas of town; it shows the PCA that the city is taking action and intends to address sewer issues in the future. Request to authorize the submittal of the application and who should sign. **Mayor Scott Keigley motioned to have Sandy or Scott sign, Councilor Kevin McDermott second; all in favor, motion carried.**
3. Oronoco Water System Ordinance - addressing a public water supply system, it is part of the application for PFA; it must be submitted to them. Councilor Brian Breider; subdivision 2, all new buildings must connect, are there provisions for those not in the affected area, it seems to include all new homes; Subdivision 3 covers having availability. Section 13 subd. 4 water availability charge, to pay for the system. City Engineer Joe Palen; talked before about having a developer come in that wants to connect to the water, they would need to put in the lines and pay an availability charge, those costs are being paid by the city and the developer would reimburse some of those fees. The city would create the specifics of the

charge in an ordinance; people only pay once, have equalized the costs, the fees will be set at a later date. The city won't be able to set fees until the numbers are in. People will have to pay when they hook on; they will pay the same as what everyone else had to pay, if they divide lots out, there will be a fee to add service, and fees will have to be set at a later time. The ordinance will be rolled into the full code when it is ready. **Mayor Scott Keigley motioned to adopt ordinance 09-05, Councilor Jackie Hall second; all in favor, motion carried. Mayor Scott Keigley motioned to publish the summary of the ordinance in the Zumbrota paper, Councilor Jackie Hall second; all in favor, motion carried.**

4. Reservoir site property acquisition – completed 8 additional soil borings two at the cemetery location; at one found 20 feet of silt and the other was 30 feet of silt, not a great location from a geotechnical stand point, did 6 more borings at the Rucker property along the south east and northern edge of the hill; (a map was handed out) on the map at #38 had 2 feet of sand which is good to build on but requires more water line, the county will allow us to directional drill so won't need the casing underneath the county road. Option 1; \$30,000 in site improvements not including geo piers at \$50,000 - \$75,000, to do the north Rucker site it would require 650 feet of water main and constructing a driveway. City Engineer Joe Palen met with Mr. Rucker on Friday and spoke with him today, he is not crazy about the northern site and didn't give a definite answer on it, and he will get back to City Engineer Joe Palen. Discussion: Continue to negotiate with Mr. Rucker, look at the south site and see what the geo piers would entail, or look at an elevated water storage which would cost more, price wasn't discussed with Mr. Rucker on the land; there are complexities in developing the land as it is not stable. It affects the value of the land. City Engineer Joe Palen: could break the project into two projects; distribution and storage, the health dept. said it was a viable option, there would be additional costs breaking it out, all the same information would be put out twice, fees could amount to more by having two separate bids, but may not have the markup from the contractors on their subcontractors bid, should keep together, and continue to work with the Rucker's at two of the sites. Mayor Scott Keigley; put the numbers together and set another meeting in a few weeks, possibly get a lower price on the property.
5. Water system project update

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

1. Music on Wheels – would like bid considered for 4<sup>th</sup> of July and NNO.
2. Cruising Tunes – bid for 4<sup>th</sup> of July. **Councilor Jackie Hall motion stay with cruising tunes, Councilor Brian Breider 2<sup>nd</sup> all in favor, motion carried.**
3. Oronoco Township – updates to the upstairs meeting room. They would like the city to consider carpeting and putting sound deadening ceiling tiles, they would pay for the materials and the city would be responsible for the labor. Windows would be covered up, hardwood floors; the committee has talked about keeping it original, suggest changing the meeting day so they can use the main floor room. **Mayor Scott Keigley motioned to not do at this time, as we do not have the resources, Councilor Jackie Hall second; all in favor, motion carried.**
4. Letter from resident on EIW – received after comment period. City Council acknowledged the letter received.
5. Letter from resident – request to be included in the water project. He will be included.

**VIII. UNFINISHED BUSINESS\***

1. Task List -
2. Letter sent to Jech's Attorney – no response received

**IX. NEW BUSINESS\***

Councilor Kevin McDermott has received complaints on pot holes on Lake Shady Ave.; Councilor Kevin McDermott and Mayor Scott Keigley will set up a time to inspect the roads.

**X. CONSENT AGENDA\***

A. APPROVED BUILDING PERMITS\*

- |                       |                 |                         |
|-----------------------|-----------------|-------------------------|
| a. Malmquist Kingkane | basement finish | 650 River Park Place SW |
| b. Dan Anderson       | basement finish | 990 Cedar Point Lane    |
| c. Craig Prihoda      | deck            | 1175 River Wood Dr SW   |

B. MEETING MINUTES

- a. Regular City Council Meeting Minutes – 3-16-2009
- b. Closed City Council Meeting Minutes – 3-16-2009
- c. Special City Council Meeting Minutes – 3-25-2009
- d. Special City Council Meeting Minutes – 4-15- 2009

C. FINANCIALS

- a. MBIA Account Summaries
- b. Budget – available at the office to view
- c. Accounts Payable ~ General & Special Funds
- d. Accounts Receivable & Unpaid Bills
- e. Transaction Report

**Mayor Scott Keigley motioned to approve the consent agenda, Councilor Jackie Hall second; all in favor, motion carried.**

**XI. ADJOURNMENT**

**Mayor Scott Keigley motioned to adjourn at 10:05 pm, Councilor Kevin McDermott second; all in favor, motion carried.**

Respectfully Submitted,

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City Clerk

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Mayor