

# City of Oronoco

## Regular City Council Meeting Minutes

### June 18, 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 Brian Breider, Councilor Jackie Hall, Councilor Tom Novak, City Clerk Cheryl Nymann, City Attorney Tom Canan, City Engineer Joe Palen, members of the community.

Absent: Councilor Kevin McDermott

#### III. APPROVAL OF AGENDA

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

#### Mary Gorfine, Olmsted County Vital Aging Commission

Olmsted County Commissioners developed this commission 1 year ago in response to the Seniors Summit. Their mission is to advise the County Board on issues affecting elders and their families, and to advocate on behalf of the interests and needs of the aging population. Vital Aging Commission AIMS: Recognize elders as essential community assets; promote quality of life through health/wellness; and Facilitate access to community resources and information. She is hopeful that if issues come up in Oronoco, they can partner to help (328-6001). Meets the third Wednesday of the month from noon-2.

#### IV. DEPARTMENTS & COMMITTEE REPORTS

##### A. OCSO ~ TOM CLAYMAN

OCSO is stepping up enforcement with state troopers on Highway 52. Deputy Wallace will be sitting in for Tom Clayman while he is gone for 10 weeks.

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

###### 1. Hydrants in Subdivisions

Mr. Stolp is concerned about using them, flushing them, etc. The City has not taken them over yet. This will be discussed with Dan Fitzpatrick at a future meeting. They currently fill fire trucks at the well house. City Engineer Joe Palen advised to not flush the mains if you don't own them. Hydrants are for future use when a pressurized tower is available.

###### 2. Recommends New Member

Reid Hassler would bring their numbers up to 24l; and then start a waiting list. Tabled until next month.

###### 3. Mr. Stolp thanked Council for helping with benefit.

4. Ordinance change for changing fee structure. Mr. Stolp went through the figures. Suggested to review with City Clerk Cheryl Nymann the new billing and invoices.

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

1. Recommends New Member Jared Mell  
He is an EMT, and needs recertification. She'll email City Clerk Cheryl Nymann a current roster. **Councilor Jackie Hall motioned to accept Jared Mell pending favorable background check, and a one year commitment to the 1<sup>st</sup> responders, and successful recertification, Mayor Scott Keigley second; all in favor, motion carried.**
  2. May Calls: 6 Total; 0 City, 6 Township
  3. Ms. thanked the Council for their help at the benefit.
- D. EOC ~ Dennis Blanck, EOC Director
1. Correct Price on Radio  
City Clerk Cheryl Nymann reported that Dennis now has his radio operational and the correct pricing was received from the company.
- E. ORDINANCES & RESOLUTIONS
1. Adult Use Ordinance  
Tabled to July meeting.
  2. Update on Ordinance Violations Sent Out\*
    - a. Business in Residential  
Business still there, no comment to City Hall. Discussion on the home business and that they are in violation of that as well. **Mayor Scott Keigley motioned to send OCSO write a ticket for continued ordinance violation, Councilor Tom Novak second; all in favor, motion carried.**
    - b. Vehicles & Garbage  
City Clerk Cheryl Nymann reported that the one vehicle has been removed, along with garbage bags; however, one vehicle remains that does not have current tabs. **Mayor Scott Keigley motioned to ticket this vehicle, Councilor Tom Novak second; all in favor, motion carried.**
    - c. Overgrown Lawn  
A service was called in to do initial cut, and then Tim has been over there once. Council directed City Clerk Cheryl Nymann to send the invoices to the bank that now has the property.
- F. DOWNTOWN ORONOCO GOLD RUSH DAYS ~ Danny Ondler, DOGR Chair  
Mr. Ondler highlighted the following items:
- New Banners discussed
  - Hwy 52 Discussions
  - Traffic flow and parking south of town discussed.
  - Officer Wallace introduced to DOGR Committee.
- G. LAKE SHADY ~ Katie Dudley, Lake Shady Committee Chair
- H. STREETS & ROADS
1. 3<sup>rd</sup> Avenue Reconstruction Project Update
    - a. Update from Joe Palen  
Contractor has concluded bituminous paving, and finishing shouldering and ditch cleaning project is 85% done. Striping will be done when the machine is in the area. Sunny View Lane was paved at Mr. Fitzpatrick's expense. Water main was buried 6' deep and it was only insulated, unaffected by construction.
    - b. Contractor's Request for Payment  
Amount of request is \$55,054.66. **Mayor Scott Keigley motioned to make payment pending City Clerk Cheryl Nymann discussion with Mike Bubany where the money should come from; Councilor Jackie Hall second; all in favor, motion carried.**
  2. West Frontage Road

The City is not ready to go any further. City Clerk Cheryl Nymann will get a copy of the appraisal for City Attorney Tom Canan. This was tabled until next month, and in the meantime there will be discussion with Pat Hall on land acquisition.

3. 5<sup>th</sup> St SW\*

Tabled to July.

4. 1<sup>st</sup> St NE Estimate\*

- Base Bid on 1<sup>st</sup> St NE, and Alternate Bid (alley west of Lutheran Church). Alternate bid is for an overly of the alley. This area is not designed for semi traffic. The original bid was from the church, and since the city row, the city should pave it. That area is 604 square yards (\$429/square yd. (\$2,600 total cost). Could also vacate that boulevard, and retain utility easement. Not good public policy for City to pave it.
- Alley, keep it bituminous.

City will contact the church for cost share.

I. PARKS & TRAILS ~ Adam Brase, Committee Member

1. The committee will be submitting animal ordinance violations to City Hall.
2. Valley View Road Trail – 1 quote at \$8,000; recommends to have City engineer look at this area. Adjacent property owners have been notified. **Mayor Scott Keigley motioned to have Joe review site, Councilor Brian Breider second; all in favor, motion carried.**
3. Spraying has been effective. Trails need total vegetation kill. Tim will be doing it.
4. The committee already purchased soccer goals and installed them at Riverwood Hills Park. **Mayor Scott Keigley motioned to have Parks Committee purchase 2 additional soccer goals and to erect them in the open field at city hall, Councilor Jackie Hall second; all in favor, motion carried**
5. The committee recommends a porta potty in River Park, Park until Labor Day. **Mayor Scott Keigley motioned to add a porta potty at River Park, Park, and Councilor Brian Breider second; all in favor, motion carried.**

J. PLANNING & ZONING

1. Public Hearing on Sign Ordinance @ 6:45Pm on July 3<sup>rd</sup>
2. Public Hearing on Future Land Use Map on July 3<sup>rd</sup>  
Is there a need to go through all the extra steps? Councilor Tom Novak; it's been highly recommended to change this, and don't fit into the vision for the City. Potential water tower site may be identified on the FLUP; no wastewater treatment site, or comprehensive storm water plan on it either.
3. P & Z Minutes\*
  - a. P & Z Recommends approval of Nathan Hartung to P & Z Commission. **Councilor Tom Novak motioned to approve Nathan Hartung, Mayor Scott Keigley second; all in favor, motion carried.** DISCUSSION: Possible conflict of interest with him being a builder. Councilor Tom Novak reported that Mr. Hartung didn't think it would be a problem. **All in favor, motion carried.**
  - b. City Clerk Cheryl Nymann reported that current zoning on this property is R-1, B-2. P & Z suggested that he do a lot split and rezone house part to R-1 (the one further away from Hwy. 52).
  - c. P & Z Recommends having City Attorney Tom Canan look at Sign Ordinance. P & Z will allow billboards but have to place at least ½ mile from one another, and limit 200 yd from centerline of Hwy. 52. The current applicant that was tabled has no problem reapplying.
4. Summary of Applications\*  
FYI
5. Subdivision Ordinance  
City Clerk Cheryl Nymann reported that Council directed her to rework the ordinance at the end of last year, and she worked with Joe Palen on it and passed it on to P & Z in Feb. She asked when this would be looked at by P & Z, and was told that it wasn't high on P & Z priority list.
6. Home Occupations

Council directed City Clerk Cheryl Nymann to obtain a copy of Plainview's Home Occupation Ordinance, and then passed it on to P & Z. This was also not high on P & Z list; City Clerk Cheryl Nymann indicated that it was a high priority for City Hall because they've been receiving more and more complaints on these.

K. COMMUNITY CENTER

1. City Hall Copier from Metro Sales( \$7,679)\*  
Get 2 more bids.
2. City Hall Redo (\$2,000)\*  
City Hall Office is in need of new paint and carpet-this was an estimate from last year. **Mayor Scott Keigley motioned to spend up to \$2,000 on carpet and paint, Councilor Tom Novak second; all in favor, motion carried.**
3. Ergonomically correct Office Chair\*  
Smart Chair; \$514.36 per chair; Mayor **Scott Keigley motioned to get 2 office chairs for a total of \$1,100, Councilor Jackie Hall second; all in favor, motion carried.**
4. Council directed City Clerk Cheryl Nymann to secure bids on tile abatement for main level of the Community Center. Mavo and IEA are two companies that can be looked into.

L. HIGHWAY 52

1. Leadership Committee Meeting Minutes\*
2. Stage 2 Traffic Plan  
Terry Ward; MnDOT, and David Rossman were present. Terry Ward said businesses told him to get in and get done, minimizing the inconvenience. ROCG 52 was able to close down frontage roads in Rochester and get in and out quicker. Stage 2 beginning week of July 4<sup>th</sup> (ramp on south 52 at 100<sup>th</sup> street will be closed); During construction of the west frontage going past Tilly's, will be closed off, and traffic would be rerouted through Woodsvew and Zumbro Hills Subdivisions. No time line for doing the work. Proposing under 1<sup>st</sup> phase is to add 4 sets of business signs coming south on 52 and around Woodsvew (2 weeks time frame) and in Zumbro Hills. Phase 2 will be construction of intersection at 12<sup>th</sup> Street and rerouting traffic back to the north through Woodsvew and down Lake Shady Ave. Avenue (2 day time period). Alternate would be a week. There will be a right in right out onto Highway 52 at 1<sup>st</sup> Street. Between July 6<sup>th</sup> and 10<sup>th</sup> they are hoping to begin; and hoping it will be finished by DOGR, days. Mayor Scott Keigley stated that at the beginning of the project they said at no time would traffic be directed through City Streets. Concerned about people not paying attention because it is very populated with children in this area. And, there should be a safer alternative than this. Mayor Keigley asked if there were any projections for increase in traffic. Terry Lee stated that they are coming to the City for signing approval, and the traffic plan is already set up this way. What the City thinks about the traffic plan doesn't matter. **Councilor Jackie Hall motioned to approve the signage, and rerouting and street closures as indicated, Councilor Tom Novak second; DISCUSSION: Mayor Keigley spoke to Councilor Kevin McDermott and he was against rerouting the traffic through City Streets. There are other alternatives to do this, but MnDOT and LHS is not willing to look at it. AYES: Councilor Brian Breider, Councilor Tom Novak, Councilor Jackie Hall. NAYE: Mayor Scott Keigley; motion carried.**

V. PUBLIC FORUM

Danny Ondler, 135 1<sup>st</sup> Avenue NW

Agreement driveway paved, (not a timeline). Corners narrow and can't meet other traffic (esp. on one corner with tree on either side). Parks Committee asked for gates because of previous vandalism in the area.

Carl Stolp, 175 5<sup>th</sup> St SW

4H property owners and get weeds mowed.

Have not seen any paperwork to correct paperwork (and haven't heard anything). City Clerk Cheryl Nymann will contact Carl, and Calvin.

Kale Bodily, 310 Zumbro Hills SW

Submitted letter; and he is homeowner and general contractor, seeking reimbursement for culvert placement, which the City is taking out at its own cost.

Recess at 8:50PM.

Reconvened at 8:57pm

## VI. PETITIONS, REQUESTS & COMMUNICATIONS

A. NOTICE FROM PINE ISLAND TELEPHONE COMPANY\*  
FYI

B. REQUEST FROM KALE BODILY\*

Requesting an additional \$1,418.79 back. The City approved spending up to \$2,000 to remove 110' of culvert that Mr. Bodily placed. Pipe is not salvageable. City is paying all expense for pulling it out, and reestablishing the ditch. It was reviewed that this was a grey area, and the City compromised was spending up to \$2,000 for removal, the City controls right of way, and they can do whatever they want in it. An argument can be made that the City's obligation should be zero; Subdivision ordinance shouldn't have to govern what a private entity would do on City property. Mr. Bodily stated that this is a different case in that the lot is unique, the water runoff comes down to this lot, and house will be placed high. Fitzpatrick said that there is nothing in the covenants governing it. Came to City Hall, and City said that the City doesn't have a permit process for driveways, and that they should contact the County. The City's Ordinance should state width of driveway. Councilor Tom Novak suggested to make sure building permits are scrutinized, and the permit needs to give dimensions from culvert to culvert. **Councilor Jackie Hall motioned to reimburse for \$1,418.49.** Motion died for lack of second. **Mayor Scott Keigley motioned to deny request based on the fact that the City has already compromised by spending up to \$2,000 for culvert removal, Councilor Tom Novak second;** DISCUSSION: What are we doing in the future. Building permit should include driveway specs. Make it crystal clear. **AYES: Councilor Brian Breider, Mayor Scott Keigley, Councilor Tom Novak; NAYES: Councilor Jackie Hall; motion carried.**

C. SPECIAL COUNCIL MEETING W/ ORONOCO TOWNSHIP JUNE 28<sup>TH</sup> @ 7:00pm. Zumbro Hills Annexation (Meet at 6:30pm to receive the annual audit from Tom Cummings).

## VII. UNFINISHED BUSINESS

A. MEETING WITH TOWER INVESTMENTS, LLC PROJECT MANAGER ~ Mayor Keigley

Mayor Keigley reported that a lot has changed since the June 2<sup>nd</sup> meeting. Tower has a They have a new part (The Falls) in the development on the west side of hwy. 52, and that modified their vision

on how they see things developing and shifting residential development would probably be included in the second phase of development (in 10 years). They don't have to know piping size right now, because it's a very small part of it. City Engineer Joe Palen discussed his letter to Council on a feasibility report for partial water distribution system, and a design report for sanitary sewer flows. Irregardless of which area to go for wastewater (north to Elk Farm or South to Rochester), the projected flows have to be determined first. SEH facility plan overestimated and was unrealistic (planning for sewer treatment for 10,000 people). The City needs to secure better projections. This was the direction of joint meeting on June 2<sup>nd</sup>, with recommendations being feasibility study on water, and looking at sewer options. Councilor Tom Novak would like to see

this go to Water & Sewer Committee first before Council. Discussion on sewer districts: **Councilor Tom Novak motioned to send this to Water & Sewer Committee, Councilor Jackie Hall second;**

DISUCSSION: Mayor Scott Keigley just wanted to make sure Joe was done with his discussion; **all in favor, motion carried.**

Tower and Pine Island are frustrated with a certain Council member continually contacting them, and would like a subcommittee or individual appointed to be a contact for these discussions. Mayor Scott Keigley will be the point of contact for Tower Investments and Pine Island concerning infrastructure now.

- B. ANNEXATION OF 3<sup>RD</sup> AVENUE SW ~ City Clerk Cheryl Nymann  
City Clerk Cheryl Nymann reported that she contacted Dept. of Admin. Boundary Adjustments for annexation of the roadway; they recommended going through the orderly annexation agreement. With this said, the City needs to have a meeting with Oronoco Town Board (which could be on June 28<sup>th</sup>). Meeting at the 28<sup>th</sup>.
- C. DAN FITZPATRICK ~ City Clerk Cheryl Nymann  
Have people that live out there keep calling Dan to get the street light issue resolved. The City did receive a letter today from People's Cooperative Services.

### VIII. NEW BUSINESS

- A. ADMIN. MN 2006 POPULATION ESTIMATES IS 965 & HOUSEHOLD is 382\*  
City Clerk Cheryl Nymann provided Council with the previous 4 year figures as well. **Mayor Scott Keigley motioned to accept the numbers, Councilor Brian Breider second; all in favor, motion carried.**
- B. Mayor Scott Keigley is working on setting up a meeting with Dave Senjem and Lt. Governor; concerning problems with Highway 52, and this branch of MnDOT. If any questions needing specifically asked, please contact City Hall and City Clerk Cheryl Nymann will get the message to the Mayor. **Mayor Scott Keigley motioned to not accept MnDOT traffic control plans in Phase 2 because no traffic should be sent down through City Streets.** Motion died for lack of second.

### IX. CONSENT AGENDA

#### A. BUILDING PERMITS

- |                    |                           |                 |
|--------------------|---------------------------|-----------------|
| 1. Theresa Euler   | 715 6 <sup>th</sup> St SW | Detached Garage |
| 2. Josh Majsterski | 480 Valley View Rd SW     | Deck            |
| 3. Jeff Nowicki    | 720 West Center St        | Addition        |
| 4. Jesse Grant     | 1170 Istas Lane SW        | New Home        |
| 5. Gerald Lakner   | 740 Woodsvie LN SW        | Deck            |

#### B. MEETING MINUTES

- 1. 05-27-2007 Regular City Council Meeting Minutes
- 2. 06-02-2007 Special City Council & Workshop Meeting Minutes

#### C. FINANCIALS

- 1. MBIA Account Summaries
- 2. Transaction Detail by Account
- 3. Accounts Payable; General & Special Funds
- 4. Accounts Receivable
- 5. Transfers

**Mayor Scott Keigley motioned to approved consent agenda, budget; costs on engineering services over budget. Councilor Jackie Hall second; all in favor, motion carried.**

### X. ADJOURNMENT

**Mayor Scott Keigley motioned to adjourn, Councilor Jackie Hall second at 10:12pm, motioned.**

*June 18, 2007 Regular Council Meeting*

Respectfully Submitted:

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Scott Keigley, Mayor

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Cheryl Nymann, City Clerk / Treasurer