

# City of Oronoco Regular City Council Meeting Agenda April 21, 2008, 7:00pm

## I. CALL TO ORDER

Mayor Scott Keigley called the meeting to order at 7:04pm.

## II. ROLL CALL

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

Absent: Councilor Brian Breider

## III. APPROVAL OF AGENDA

- ADDITIONS:**
- V. I. 2. Please help volunteer for the Duathlon scheduled Sunday, April 27 with the web site <http://www.winterbegoneduathlon.com/> Part of the proceeds will be donated to the Lake Shady Committee's fund
  - 3. Highway Clean Up to be scheduled in May
  - 4. May 13 meeting includes Tom Ryan, Olmsted County Parks Director
  - 5. Steve Beach from Milestone Materials will contact Katie in May to visit about different management options for Lake Shady
  - 6. Planting of the peninsulas should be done by mid-May
  - K.4. Street Lights in RWH, CW, RIVERPARK Developments
  - N. 3. BSOP – Article in Post Bulletin ~ Councilor Tom Novak
  - VII. E. City's Web Site ~ City Clerk Cheryl Nymann

Mayor Scott Keigley motioned to approve agenda with additions, Councilor Kevin McDermott second; all in favor, motion carried.

## IV. PUBLIC FORUM

Katie Dudley visited about Lake Shady events, listed below under Departments. She also mentioned the Zumbro Watershed District request to speak on litter clean up.

## V. DEPARTMENTS & COMMITTEE REPORTS

### A. OCSO ~ Sgt. Tom Clayman

There are no trends happening. OCSO will help staff the Duathlon. Bobcat stolen along with tools on a new home construction site. Dog at large complaint discussed.

### B. FIRE DEPARTMENT ~ Adam Schaefer, Fire Chief

1. Runs – 4 (2 no burning permit, 1 gas leak, 1 cancelled en route)
2. Water Supply  
They've filled 1 tanker and half engine amounting to 25 gallons of water from Cedar Woodlands Subdivision.
3. Grant – Completed  
A lot of time and effort put into that, and thanked City Clerk Cheryl Nymann for help with it.
4. Driver Training  
Training on driving the fire departments and first responders vehicles will be held this Saturday from 8-noon.
5. 800 MHz radios  
Radio is back now. City Clerk Cheryl Nymann will look in agenda packets from last year or contact Olmsted County to retrieve a copy of the bill. Warranty void because of water damage.

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

1. Runs – 3 Township, all township
2. Letter from Township\*  
Gwen met with Neil Stolp about their concerns, and they want an agreement. City Clerk Cheryl Nymann will write a letter back to Mark Thein. Clarification that the intent was to provide safety assistance to the first responders on any traffic accident for City and Township
  1. PI should be responding to anything in Township outside City Limits
  2. If someone from Oronoco cannot attend during the day, questionable whether Rochester should be called. This all began after hours, not during the weekday, and mainly for Highway 52 accidents (especially when road surfaces are bad). Primary safety concern is Hwy. 52.
  3. This will not affect services to Oronoco Township residents.
  4. This is being done as a courtesy and safety considerations.
  5. A copy of the letter did go to Olmsted County dispatch because they are the ones doing the call dispatching. And, they have the capability to page out both Oronoco and Pine Island.
3. Agreement with Township\*  
City Attorney Tom Canan has reviewed the agreement, and was actually the original author of it. Some changes and updates have been made.
4. Assisting with first aide for Winter Begone Duathlon event this Sunday.
5. They will also be attending the Emergency Vehicles Operating Course.

D. EOC ~ *Dennis Blanck, EOC Director*

1. Sirens  
Ordered the sirens; Worked with Olmsted County EOC. Cover everything with 2 sirens. People's Co-op will get 60' foot poles and plant 8' in the ground, and plant them. Poles are about 6 weeks out, (\$700-\$800 per pole). They are in the CIP for this year. City Attorney Tom Canan explained the formal bidding process (this has been done through the statewide bidding). **Mayor Scott Keigley motioned to purchase the 2 sirens, Councilor Jackie Hall second; all in favor, motion carried.**

E. ORDINANCES & RESOLUTIONS\*

1. Wood Burning Stoves  
City Attorney Tom Canan questioned 500' set back too much, along with the fines section. The wood burners currently in the city would be grandfathered in. Lots are big. Air quality is not being addressed in this ordinance. How can the City measure parts per million? What can the City do to take care of it? The City has nuisance ordinance where it could be addressed (if it is smoking out the neighbors and creating a nuisance). **Mayor Scott Keigley motioned to change that portion to 300', and table the ordinance until Councilor Brian Breider can also see it, Councilor Kevin McDermott second; all in favor, motion carried.**
2. Ordinance Violations/ Complaints
  - a. 330 1<sup>st</sup> Ave.NE ~ Dog At Large Complaint  
Dog owner did come in and purchase a dog license.
  - b. 255 1<sup>st</sup> Ave. NE ~ Dog At Large Complaint  
**Mayor Scott Keigley motioned to ticket the homeowner, Councilor Jackie Hall second; DISCUSSION: Vague description of the dog, all in favor, motion carried.**
3. Resolution #08-02  
Approved last month, voice voted last month. Incorporate findings of fact approval date. **Mayor Scott Keigley motioned to include City Attorney Tom Canan recommendations on Resolution #08-02, Councilor Kevin McDermott second; all in favor, motion carried.**

F. PERSONNEL COMMITTEE

1. Cheryl Nymann 5 Year Review\* (*City Clerk Cheryl Nymann stepped down and later went back to the tapes to retrieve minutes*)
  - a. Mayor Scott Keigley reviewed the personnel committee comments including the following:
    - Completion of MN Municipal Clerk Certification

- City office changes / remodeling successful
- Assisted w/ transfer of maintenance dept. oversight to Tim
- City business runs smoothly
- Some miscommunications with committee members
- Personnel Committee recommends the budgeted 3% raise

City Clerk Cheryl Nymann addressed city council with comments including the following:

- Successful completion of MN Municipal Clerk AND International Certified Municipal Clerk
- Job performance throughout the year demonstrated flexibility, initiative, effective communication between departments, committees, other government agencies and the general public. And, that adoption of appropriate policies by Council should prevent future misunderstandings with committee members.

City Clerk Cheryl Nymann stated that at her one year evaluation Council preferred an Administrator / Clerk position designation be considered after her CMC was awarded. She asked for this now with pay ranges specified on review sheet. Council will consider this at budget time. **Councilor Jackie Hall motioned to give City Clerk Cheryl Nymann the 3% budgeted raise, per the Personnel Committees recommendation, Mayor Scott Keigley second; DISCUSSION:** City Clerk Cheryl Nymann asked for her current salary be brought up to the statewide average which would be an increase of \$1.31/hr (6.5%); and thought that she deserved it because of the extra duties that she performs, including supervisory duties added 4 years ago that she has never been compensated for. Discussion with Council members included Council has been working hard and doing a good job bringing employees salary's up to statewide averages, wanting to treat employees well and for them to be happy, Council being accountable to voters, and the need for a healthcare plan. City Clerk Cheryl Nymann asked Council how they justify a 3% budgeted raise to one employee that has performed extra job duties, while another employee has received a 7% raise to that has performed extra job duties (who currently makes \$2.61 over the statewide wage for that position). She asked if there was favoritism to one employee, where the fairness and justice was in this, and what the incentive was to keep employees. It was verified that the 3% increase was .61 per hour. City Clerk Cheryl Nymann also added that for past 3 years she has submitted a pay scale to be implemented by the City, but Council wasn't ready to look at it. This could prevent hurt feelings and tension between employees. Council commented that they hope there is enjoyment in the workplace. City Clerk Cheryl Nymann stated she does enjoy working for the City, likes the residents, but just wants to be treated fairly and compensated for the work she does. She asked Council for clarification purposes, was it OK for one employee to receive 8%-15% increases for the past 3 years (which was well beyond the budgeted 3% amount for that position); while she only has received 3% raises the past 3 years. Mayor Keigley called for a vote. **AYES: Councilor Jackie Hall, Mayor Scott Keigley, Councilor Tom Novak; NAYES: Councilor Kevin McDermott, motion carried.**

- b. City Clerk Cheryl Nymann requested to be paid out for the remainder of vacation time (40 hours from last year). Discussion topics included the City Personnel Policy allows for carryover of vacation upon Council approval, there are no allowances for pay out-just use it or lose it policy, that if it was paid out it would set a precedence for other employees to do the same, and how it would affect the budget. **Councilor Tom Novak motioned to allow one week of vacation time to be carried over for City Clerk Cheryl Nymann, to be used by annual review next year, Councilor Jackie Hall second; DISCUSSION:** Council asked why there was this amount of vacation remaining, and it was discussed that the City allows comp time instead of paying overtime, so that's usually used. City Clerk Cheryl Nymann questioned if Council doesn't want to set a precedent, then why it was ok for one employee to receive a substantial raise beyond the budgeted amount for extra duties, and another employee received the 3% budgeted amount for extra duties. **All in favor, motion carried.**
- c. City Clerk Cheryl Nymann and Council discussed having uniforms. First, Tim needs to have a uniform allowance in the budget, mainly for steel toed boots and uniforms that are job specific. Discussion regarding a uniform service and washing of uniforms, and city log shirts for staff / council. City Clerk Cheryl Nymann recommended having just one company that can do it all for work items and logo shirts to save on set up fees.

- d. City Clerk Cheryl Nymann reported that she has received one quote for healthcare, and will bring other forward at budget time.
  - e. City staff is thinking about doing some fundraising for city Christmas parties, or summer picnics. It was clarified that if they want to sell cinnamon rolls during gold rush, they would need to purchase a food permit. They also considered selling pop, and parking cars at Caryl Cowden Park. City Attorney Tom Canan stated just make sure that no public funds are being used for this. City staff and family members would 'man' the parking. Council discussed whether this would set a precedent for other people wanting to do it too. In previous years, parking along public right of way has not been met with any objections.
- G. DOWNTOWN ORONOCO GOLD RUSH DAYS ~ *Kevin McDermott, Co-Chair*
1. Food Permits – Budget \$4400  
Never resolved; have to change in the ordinance; tabled to next meeting.
  2. Deadlines for applications extended
- H. PARKS & TRAILS
1. Spring Lawn Maintenance\*  
**Mayor Scott Keigley motioned to purchase all supplies to do it, Councilor Jackie Hall second; all in favor, motion carried.**
  2. No Meeting this Month
- I. LAKE SHADY ~ *Katie Dudley, Lake Shady Committee Chair*
1. Meeting for 4/22 RESCHEDULED for 5/13 at 6:30pm
  2. Please help volunteer for the Duathlon scheduled Sunday, April 27 with the web site <http://www.winterbegoneduathlon.com/> Part of the proceeds will be donated to the Lake Shady Committee's fund
  3. Highway Clean Up to be scheduled in May
  4. May 13 meeting includes Tom Ryan, Olmsted County Parks Director
  5. Steve Beach from Milestone Materials will contact Katie in May to visit about different management options for Lake Shady
  6. Planting of the peninsulas should be done by mid-May
- J. COMMUNITY CENTER
1. Well – tank and controller replacement  
1 company solicited bid. Law says to solicit 2 bids. Mayor Scott Keigley will tell Tim to contact another company. Discussed that this has to be done, and it will have a prolonged life of the pump, as well as provide constant water pressure.
  2. Parking Lot  
Tim soliciting bids for repairing parking lot.
- K. STREETS & ROADS
1. Pot Holes  
Street committee will do this on the 5<sup>th</sup>.
  2. Final Snowplow invoice for Olmsted County:  
It has been sent to Olmsted County; (City Clerk Cheryl Nymann will send copy to Judy Ohly).
  3. Bid Opening for Rock & Snow Removal  
**Larry Stolp:** Blading; \$91/hr. not to exceed diesel \$3/gallon or reimbursed  
Snowplow: All Equipment: Cat \$95/hrx2, same rates for diesel fuel plus \$2,500 Nov.-March  
**Holm Bros.** Rock Bid: \$10.54/cu. yd; 8.58/yd, borrow 9.34/yd.  
**Ottman Excavating:** \$88/hr. salt/sand/yd. pickup w/plow \$58/hr. \$1750 Dec-March; fuel surcharge submitted for rates over \$3. Est. for equip. rent  
**Roberson:** Rock Bid: \$10/yd crush rock  
**Mayor Scott Keigley motioned to accept all sealed bids received, Councilor Kevin McDermott second; all in favor, motion carried.** Look at service along with the bids. Complaints received are the same as every year (3<sup>rd</sup> Avenue, mailboxes). Ordinance gives 24

hours window on the completion of the roads; Acceptable roads this year. **Mayor Scott Keigley motioned to accept Roberson for crushed rock, Councilor Jackie Hall second; all in favor, motion carried. Councilor Kevin McDermott motioned to accept Ottman Excavating for snowplowing, Mayor Scott Keigley second; DISCUSSION: Councilor Tom Novak hard to judge how long one snowplow company takes to plow than another. Get an idea how long it takes. Every storm is different. All in favor, motion carried. Mayor Scott Keigley motioned to accept Stolp Construction for \$91 per hour road grading Councilor Kevin McDermott second; all in favor, motion carried. Mayor Scott Keigley motion to accept Ottman Excavating as bulldozer operator, backhoe operator, Councilor Kevin McDermott second; all in favor, motion carried.**

4. **Street Lights in RWH, CW, RIVERPARK Developments**

Sometime last year, after RWH lights were turned on, the City asked for the lights to be turned on. But, they haven't been billing the City since last June for the lights. **Mayor Scott Keigley motioned to pay People's Co-op and bill back to the Developer's, Councilor Jackie Hall second; DISCUSSION: Street light and secondary fault, neighborhood complaints on lane and road that is crooked. All in favor, motion carried. City Clerk Cheryl Nymann will send letter stating that.**

5. **Park & Ride**

Will it be available in Oronoco? Rochester City Lines could accommodate and stop for service. They have numerous buses that come through now.

*Break called for at 8:30pm*

*Reconvened at 8:37pm*

L. **PLANNING & ZONING**

1. **P & Z Minutes\***

P & Z recommends sexual oriented business.

2. **Summary of Applications\***

There was one new home building permit this month.

3. **OACC Guidelines for Apartments and Townhomes (R-2)**

P & Z wants OACC guidelines on apartments & townhomes. **Councilor Tom Novak motioned to send this P & Z and OACC for further study on this issue, Mayor Scott Keigley second; all in favor, motion carried.**

4. **18 wheeler truck parking**

Discussion on trailer and/or cab, and medium sized delivery trucks fitting into the Ordinance. The purpose of this is to not have semi's and trailers sitting somewhere for extended period of time. City Attorney Tom Canan will have time in the next couple of weeks to work on it. Make sure that the OTR driver at home on vacation, etc is put in it too (they would get an interim use permit for that).

M. **HIGHWAY 52**

1. **Turn Back of Lake Shady Avenue to City\***

The City has done a study, **Mayor Scott Keigley motioned City Clerk Cheryl Nymann will send a letter to MnDOT asking for a proposal on the turnback, Councilor Tom Novak second; DISCUSSION: Jai's letter. If City were to choose them fixing it, the concrete should be patched with complete overlay, with no short cuts taken. However, the City may be able to do the work cheaper. No formal quote has been given by MnDOT. All in favor, motion carried.**

N. **WATER & SEWER**

1. **Letters from City Residents\***

The City hasn't accepted a timeline, and currently at the point to secure financing. There have been meetings with Terry Lee and Judy Ohly and the County would bond on behalf of the City for the project; Also, in the process of setting up meeting with County Engineer. Pursuing small cities grant opportunities. OCHRA will administer small cities housing grant – no help with grant writing or survey help. 3<sup>rd</sup> party involved with survey portion with it. City Engineer Joe Palen will get data from Chuck and Ron. PFA signed submittal for being placed on the project

priority list. Discussions with them behind the scenes, and they seem supportive at this point; Rural Development becoming more interested than they were last year. Is money available for Elk Run (4 million)? Stockton got million dollar grant through PFA.

2. Meeting; *Engineer Joe Palen, Clerk Nymann, & Pine Island City Admin, Abraham Algadi*  
Discussed was the potential conveyance of sewer flows through Elk Run, and PI asked the City to provide a commitment for this. As part of this, a segment on the NW Elk Run will be constructed of the trunk sewer, and would like the City to participate in that cost (for the upsizing of the City's future flow) of 1.1 million dollars. Significant benefits to both Oronoco and the Elk Run development. Information still vague, but Mr. Algadi wants to know if the city will participate in the first phase of \$69,000 (no schedule, waste water treatment plant unknown, agreement extremely complicated). City Engineer Joe Palen recommends to not go with the commitment now, use excess capacity as an interim basis, and ask Pine Island to preserve a corridor for a possible joint wastewater treatment center together with a forced main system in it (30 ft. utility easement adjacent to hwy 52 corridor {outside MnDOT ROW}). City needs to see this development work itself out a little bit. Discussion on Rochester alternative and sizing of their pipes. **Mayor Scott Keigley motioned to send a letter to Pine Island thanking for consideration, but keep in mind in future, Councilor Tom Novak second; DISCUSSION: Include use of excess capacity and easement. All in favor, motion carried.**
3. **BSOP – Article in Post Bulletin** – *Councilor Tom Novak*  
It would've been nice if the Post Bulletin would've been at the meeting. There was discussion on giving positives (low crime, high development, etc). In the future, the City should try to steer them towards positives.

## VI. PETITIONS, REQUESTS & COMMUNICATIONS\*

- A. Fire Works request from Kelly Parker.  
Gold Rush will donate that money to him. Bring receipt for reimbursement (up to \$200)
- B. Letter from Devonna (Dexter) Meyer\*  
Questionable on what the City paid for and what was donated. Suggested to get together with Devonna and go through the room. Time to stop by during regular business hours and council to go through, and write down items set aside.
- C. FYI: Letter from City Attorney Tom Canan on Law Practice Closing  
Council commented that they certainly appreciate what Tom has done over the years, and he will be missed. City Attorney Tom Canan will spend time with new lawyer to review city issues. April 29<sup>th</sup> is set for 7pm reviewing City Attorney RFP's. **Mayor Scott Keigley motioned to have City Attorney Tom Canan attend at 7pm after continuation of board of appeals at 6pm, Councilor Jackie Hall second; all in favor, motion carried.**
- D. Letter from Briggs & Morgan  
Plainview also received this. This regards transmission lines. They would be representing the City looking out for the City interests if the line goes through City Limits. Benefit is that Mary Ippel has represented the City well. **Mayor Scott Keigley motioned to sign the proposal, Councilor Kevin McDermott second; all in favor, motion carried.**

## VII. UNFINISHED BUSINESS

- A. Task List\*
- B. Letter from City Attorney Tom Canan to Dan Fitzpatrick\*  
Mayor Scott Keigley told them they needed to give us 3 dates, but did not receive anything back. Tom's letter has date of completion for May 1, 2008. Future plats will not be processed. File a breach of contract against Mr. Fitzpatrick. City's options are running out. **Mayor Scott Keigley motioned to table and wait for May 1<sup>st</sup>, Councilor Jackie Hall second; DISCUSSION: No special meeting will set up a meeting between now and then. No one else has any direct issues with this (property owners, People's, etc.) All in favor, motion carried.**
- C. Code of Ordinances 300-Public Works\*

Numerous items that have no reference to Oronoco; City Attorney Tom Canan will give it to Cheryl. And bring back to next meeting. City Clerk Cheryl Nymann will revise, and wait to next meeting, **Mayor Scott Keigley motioned to table until next month, Councilor Kevin McDermott second; all in favor, motion carried.**

D. Board of Adjustment Continuation  
Set for April 29<sup>th</sup> at 6pm.

E. [City's Web Site](#) ~ *City Clerk Cheryl Nymann*

Our web site doesn't portray our City very well; Getting charged way too much per year. City Clerk Cheryl Nymann discussed web site hosts with MCFOA cities at the annual conference, and government office comes highly recommended. Councilor Tom Novak suggested to look at local vending companies in the area that do it. Make it more user friendly. City Clerk Cheryl Nymann will visit sites and process.

**VIII. NEW BUSINESS**

A. Light – MN Avenue Bridge\*

City Clerk Cheryl Nymann will forward request to Olmsted County.

B. Tuesday, May 6<sup>th</sup> Hazardous Waste Pick Up\*

Mayor Scott Keigley will be here, and Councilor Kevin McDermott will be here.

C. 2008 Annual Conference & Marketplace – Rochester, June 11-13\*

Councilor Tom Novak may attend.

D. 2008 LMC Loss Control Safety Workshops\*

E. Proclamation for Municipal Clerks Week May 4-10\*

**Mayor Scott Keigley motioned to sign, Councilor Kevin McDermott second; all in favor, motion carried.**

**IX. CONSENT AGENDA**

A. BUILDING PERMITS\*

|                     |                        |                 |
|---------------------|------------------------|-----------------|
| 1. Dale Jech        | 650 River Park PL SE   | New Home        |
| 2. Michael Amundson | 637 Zumbro Hills Dr SW | Garage          |
| 3. Alan Ihde        | 1325 Riverwood Dr SW   | New Business    |
| 4. Robert Johnson   | 1345 Valley View Dr SW | Deck            |
| 5. James Rosanne    | 1295 Valley View LN SW | Basement Finish |

B. MEETING MINUTES\*

1. 03-17-2008 Regular City Council Meeting Minutes
2. 03-25-2008 Special City Council Meeting Minutes
3. 04-15-2008 Board of Appeal & Equalization Meeting Minutes

C. FINANCIALS\*

1. General Fund Transaction Detail Report
2. General Fund Open Invoices
3. Go Bonds (New Company)
4. WAC/SAC (New Company)
5. Special Fund A/P and A/R
6. Special Fund Transaction Detail Report
7. Account Balances
5. Transfers

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

**X. ADJOURNMENT**

**Mayor Scott Keigley motioned to adjourn at 10:15pm, Councilor Kevin McDermott all in favor, motion carried.**

Respectfully Submitted:

\_\_\_\_\_  
\_\_\_\_\_  
Scott Keigley, Mayor

\_\_\_\_\_  
Cheryl Nymann, MCMC, CMC