

**City of Oronoco
Public Hearing 6:30pm
Regular City Council Meeting Agenda
December 20, 2010 @ 7:00PM**

I. PEOPLE'S COOP: FINAL PLAT PUBLIC HEARING

A. Written Comments

The public hearing was called to order at 6:30pm for the final plat for People's Coop. Lynn Koenig; they have the property on the south side of 12/112. She is the daughter of the Koenig's; they submitted a letter that had been forwarded to council. Bill Tointon responded to the drainage concerns with a response letter that Dan Zemke sent: the ditch section would be sufficient and they used a hydro CAD 9.10 program that didn't rely on the capacity of the existing twin box culverts. The model used the information from the upstream watershed and then the runoff flow was compared to the MNDOT design that was used for the construction of the TH 52 overpass. The flow value for the 100 year storm event is 439 cfs. The channel has a 24' bottom with three to one side slopes and slope on the channel of .6%. With this design parameter the 3' ditch will have a capacity of 568 cfs. This is almost 30% oversized. They also used another program to analyze the flow around the bends. The program is distributed by North American Green and looks at the slope of the water or super elevation of the water as it flows around the bend. The bends have been designed with a 100' radius. Using that information with the other the super elevation would be .35' or just over 4". They are comfortable that the capacity and flow is there. It has received approval from the state and City Engineer Joe Palen. Lynn Koenig; the culverts have been full in the spring when they are frozen; didn't consider culverts early spring run off they have been full City Engineer Joe Palen; visited with Ms Koenig about this issue previously. City Engineer Joe Palen; concurs with McGhie and Betts methodology. It is consistent with the hydraulic model used; it is consistent with MNDOT and it did include the 100th street culverts. Tim Clawson, People's Coop; there was a fence that was put in by MnDOT that crossed the waterway; there was concerns of debris collection and they did remove it at their expense. They also talked about the CAPX 2020; there was a variety of alternatives. This alternative is pt002; they evaluated all alternate routes the application submitted has not shown the alternated routes, it showed the preferred and the alternate routes. They have not looked at the other alternative routes this is a route initially looked at but not included in the application. Lynn Koenig; did People's comment. Tim; no; it is MnDOT ROW and they won't allow them to use MnDOT row. Lynn; they can use eminent domain and use private property. Tim; the application has been sent to the state, they have the authority to put line where they want, they don't see any immediate impacts from the CAPX. People's still have an open issue with the driveway access; they have applied for that and won't know until January if they get the permit. Nothing changes if they get it and if they don't they would submit changes, there was a change on the final with not knowing the end user of the property they have zoned with one outlot. Mayor Scott Keigley; there was a concern with the forty foot turn lane; if that's not allowed then extending the third lane 500 feet. City Engineer Joe Palen; the access has been denied and won't know until January if it will be allowed. There could be an extended center lane; it could be done in conjunction or in lieu of the county road access; the cost would be equal to or less than the county access, it would serve your property. Tim Clawson; MnDOT designed the frontage to their capacity to handle 5000; we don't know how the road would function in the long term there may be a need later for three lanes, we don't know and don't believe it is warranted, someday there may be a need for that if there are issues and with additional users on the left side of the road. City Engineer Joe Palen; has spoken with Mike Sheehan and Terry Ward at MNDOT are designing that road for today's standards and not for future use; they are willing to modify that but not at their expense though; to do in the future it would disrupt traffic and would cost more in the relative near future, it will be warranted, the additional 500 feet would be the same cost for the 480 feet on the turn lane on the County road. Councilor Kevin McDermott; if that need to extend the three lane came up and was built would it be assessed to the adjoining property to cover costs? City Engineer Joe Palen; it could be assessed or through some type of cost share, Councilor Paul Briggs; that is where a TIF district could be utilized? Tim; the 40 foot opening is shown, Olmsted City has denied

and recommend it should be removed from the final plat, January 4th if approved it can be added back in. Tim; we're the applicant, the city doesn't have anything to do with this, they asked for us to take it off and then put it back on. We're suggesting leave it on then take off if we don't get it. Councilor Brian Breider; are there legal ramifications if it's on their? Attorney Fred Suhler; the access control won't matter if they don't get it. Tim; we won't record the final plat until we know, City Engineer Joe Palen with a contingency; if the access is not approved would there be any desire to fund the extension at that time. Tim; it would be considered, the board has not considered this or looked at this and they would make the decision. City Engineer Joe Palen; in your evaluation to construct within the row; is that there? Bill; center turn and right turn lane would be there. Mayor Scott Keigley closed the public at 7:00 pm.

II. CALL TO ORDER REGULAR CITY COUNCIL MEETING

Mayor Scott Keigley called the Regular City Council Meeting to order at 7:00pm.

III. ROLL CALL

Members Present: Councilor Paul Briggs, Councilor Kevin McDermott, Mayor Scott Keigley, Councilor Brian Breider, Attorney Fred Suhler, Clerk Sandy Jessen, and City Engineer Joe Palen. Councilor Jackie Hall was absent.

IV. APPROVAL OF AGENDA

Mayor Scott Keigley motioned to approve the agenda Councilor Brian Breider second; all in favor motion carried.

V. PUBLIC FORUM

Lynn Carlson; representing the Oronoco and Pine Island Area Unmet Needs Committee; they have 6 pallets of food to distribute; the food is for victims affected by the flood. They are wondering if they could use a room at the Community Center to distribute it to residents. They can't use Channel One; the person that donated the food wanted it to go directly to the flood victims. There is a group that would sort and give out to residents. We will try to get the food to the families prior to January. **Mayor Scott Keigley motioned to allow them to use the upstairs room for storage Councilor Kevin McDermott second;** discussion: Councilor Kevin McDermott we would need to get you keys. **All in favor, motion carried.** Joy Bertsinger; was hoping that Councilor Jackie Hall was here too she wanted to publicly thank Mayor Scott Keigley, Councilor Brian Breider, and Councilor Jackie Hall she knows they will be leaving. She doesn't know if residents realize there are two vacant seats on council. Mayor Scott Keigley; they will be appointed. Joy; how has council actively put out notice for that there are two seats; there isn't much on the minutes, there was mention of it in the newsletter. All residents should know given the west side water; it would be nice for residents to know since City Council is appointing; so there is perceived fairness. Mayor Scott Keigley called for public comments for a third time and closed the public forum at 7:08pm.

VI. DEPARTMENTS & COMMITTEE REPORTS

A. OCSO ~ Sgt. Mike Morrow

B. FIRE DEPARTMENT ~ Dan Sundt, Fire Chief

1. Runs – 3 medical assists
2. LMC Claim / Coverage: Pants, Boots, Radio, Gloves; insurance will cover the portable equipment it is contaminated and the water can't be hot enough to kill the bacteria without ruining the gear. There are 18 sets of pants and jackets and boots and 20 pair of gloves. It will be about \$34,000; all of the members have been fitted. It is for the health of the firefighters; can use for fires until they come in. They should be in the end of January.
3. Grant Update: received a DNR grant and ordered 8 new hoses, the IBM is a \$500 grant for a new camcorder for training, People's Coop; wrote one for portable lighting, Wal-Mart: will be writing in for a turn out rack. Wrote one for 5 sets of turnout gear and a washer and dryer with

a 5% match. They received \$1000 from DOGR and will use for training software. They held elections and positions remain the same. Dan is taking an incident command class in January. Pagers; did some research on them and at the end of December 2012 they will be changed over to Minitor 5. Eight are of the Minitor 5 they will have to replace the other 15. A service call on those are about \$100. Pagers are \$399.00. Councilor Paul Briggs; can you lease them? Dan; never asked. The radio that is being replaced; there is a more water tight version now, so that is what was ordered.

C. FIRST RESPONDERS ~ Jeff Allhiser, 1st Responder Director

1. Runs – 9 runs: 6 township, 3 city
2. Justin Thurmes; new member; has training already done; **Councilor Kevin McDermott motioned to accept Justin Thurmes as a member, Paul Briggs second; all in favor, motion carried.**
3. Repair done on rescue one; needed to have it done they were in a pinch to get it up and running. Came down that day and repaired it. The belt took out the fan. It was approximately \$1200 for the repair.

D. EOC ~ Pat McGovern, Director

1. Kevin Torgerson & Mike Bromberg; Certificate: Mike Bromberg presented and read three letters of recognition to: 1. City of Oronoco Staff, Elected Officials, and Volunteer Fire Department. 2. Pat McGovern with the Oronoco EOC. and 3. Dan Hoeft from Nechama for the handling and response with an exceptional level of professionalism to the flood on September 23, 2010. For a disaster of this magnitude this went on completely smooth.
2. Estimates for repairing the Fire Department anemometer; would like to pursue getting estimates on it. We will need it before storm season starts. A new one would be between 300 – 1500 and will check estimates for a new one; estimates for the repair will be expensive.
3. Billing Pine Island; the initial call was for mutual aid for the flood, FEMA doesn't want to reimburse us; FEMA wants us to submit a bill to Pine Island and then they will turn it into FEMA. The department was up there four hours; the bill would just over \$1000. There is a glitch in our agreement with Pine Island. So in order to get reimbursed we need to Pine Island to pay us and they would get paid from FEMA. If we don't bill; they don't submit a bill to FEMA. Rochester submitted a bill to Pine Island when they were landlocked. **Mayor Scott Keigley motioned to submit the bill to Pine Island; Councilor Brian Breider second, all in favor, motion carried.**

E. PERSONNEL

1. Carry over PTO; **Councilor Brian Breider motioned to carry over the PTO, Councilor Paul Briggs second; discussion: could pay out a portion of it. All in favor, motion carried.**
2. Close December 23rd? **Mayor Scott Keigley motioned to allow the office to close the 23rd, Councilor Paul Briggs second; all in favor, motion carried.**
3. Coverage; Water while Tim is on vacation, Todd will be gone as well; Cain will be here but will need council to be available. Keys will be set out for Councilor Paul Briggs and Councilor Kevin McDermott.

F. ORDINANCES & RESOLUTIONS

1. Fee Schedule: camping \$20, animal license won't add much, does it cover staff time yes, food permit not comfortable changing it, gathering permit **Mayor Scott Keigley motioned to adopt the Councilor Brian Breider changes for the fee schedule other than the food permit and keep camping at 20, Councilor Paul Briggs 2nd discussion: the costs should be the same, there are a lot of hidden costs all in favor, motion carried.**
2. SE MN HRA: Buyout Resolutions Resolution 10-22; 10-23; availability for a special meeting with the residents on the buyout; set for Tuesday at 7:30pm. **Mayor Scott Keigley introduced Resolution 10-22 for the buyout and elevation programs to property affected by the September 2010 flooding, Councilor Paul Briggs second; Voice Vote:**

Ayes; Councilor Paul Briggs, Councilor Kevin McDermott, Mayor Scott Keigley, and Councilor Brian Breider, Absent: Councilor Jackie Hall. Mayor Scott Keigley introduced Resolution 10-23 entering into a grant agreement with the State of MN Division of Homeland Security and Emergency Management and the MN DNR; Mayor Scott Keigley motioned to accept Resolution 10-23, Councilor Kevin McDermott second; Voice Vote: Ayes; Councilor Paul Briggs, Councilor Kevin McDermott, Mayor Scott Keigley, Councilor Brian Breider. Absent: Councilor Jackie Hall. Resolution 10-23 passes.

- G. DOWNTOWN ORONOCO GOLD RUSH DAYS* ~ Co- Chairs Councilor Kevin McDermott, Councilor Brian Breider.
1. Meeting Minutes – \$20,000 was distributed. Alyssa is the new treasurer and Dan and Lynn will co chair.
- H. PARKS & TRAILS*
1. Meeting –
- I. LAKE SHADY ~ Katie Dudley, Lake Shady Committee Chair*
1. LIDAR run completed
- J. COMMUNITY CENTER*
- K. STREETS & ROADS*
- City Engineer Joe Palen handed out the landscape plan from MNDOT; will discuss at the January meeting. Councilor Kevin McDermott thought the sign locations should be reviewed.
- L. PLANNING & ZONING*
1. Meeting Minutes – 12-2-2010
Final plat for Oronoco crossings; planning & zoning recommends approval. Mayor Scott Keigley has question on mowing. Tim; the owners of the association will take care of that. Orest Zasadney is applying for Planning & Zoning. **Mayor Scott Keigley motioned to approve the final plat of Oronoco Crossings pending the outcome of the 40 foot opening in the access control; Councilor Paul Briggs second; Councilor Kevin McDermott abstained, all in favor, motion carried.**
Mayor Scott Keigley called a recess at 8:00pm for a 5 minute recess. Mayor Scott Keigley called the meeting back to order at 8:05pm.
- M. WATER & SEWER*
1. Minutes- 11-30-2010 reviewed the presentation for the public hearing and looked at the pumping reports and will start looking at those who are and aren't pumping.
 2. Updates: Water System; City Engineer Joe Palen; we had been addressing the flow meter in the pump house the existing meter is as old as the well house, it is cheap and don't think it's accurate; there is a danger that the chemical pumps could run when the pump isn't. The new one would read that the pump is running prior to the chemicals being turned on; it would also report the water usage. The cost is about \$2500 and would cost about \$1000 to install; it would be added to the project. There is ventilation issues; you can run a dehumidifier or and exhaust fan. The stands should be replaced with stainless; stands would be \$50 -\$100, the pipe replacement would be more. The icing issue is not unexpected; we are running low usage so only 20,000 gallons are being run out a day and so we are running it at a lower level; it may be drained out and cycle warmer water in. There are circulation pumps, but are better off staying away from them and dealing with this as they are. The usage will come up. Council would like to see costs on circulation pumps. The Fire Department is using the hydrants. The corrosion was caused by a chemical spill in the well house; a dehumidifier should work, it can be run it into the floor drain. Get prices for the dehumidifier and look at price of the pipe replacement. **Councilor Paul Briggs motioned to**

approve the replacement of the meter and stands up to five thousand dollars, Mayor Scott Keigley second; all in favor, motion carried.

3. Phase II: Resolution; Councilor Paul Briggs how would we be on time if we table this? City Engineer Joe Palen; very tight on time with the holidays, we need to send out documents out for comment. March 29th is the deadline; but we can still be waiting on comments; the main thing is the plans and specs the first week of January would be ok; the cost for the environmental portion is roughly \$5000. Don't anticipate any issues with the historical society everything we will touch there aren't historical properties. **Councilor Paul Briggs motioned to table this until January, Councilor Kevin McDermott second;** discussion: Councilor Brian Breider; when it would be looked at? The first meeting is the 3rd of January or the second week of January could set a special meeting. **Ayes: Councilor Paul Briggs, Councilor Kevin McDermott, Mayor Scott Keigley, And Naves: Councilor Brian Breider, motion passes.** Councilor Brian Breider; think the arguments were valid but people were understanding, as he spoke with people they understand this wasn't all of sudden, he thinks it prudent to get money at a reasonable price and it won't get any cheaper, apply for funding, we can chase grants, taking no action is not good. Councilor Paul Briggs; don't know that we did the best job selling it and that the residents understand that this is a one shot deal, don't think if it will ever be done if it's not done now. City Engineer Joe Palen; City Council could reduce the share and reduce the assessment; the wells were a small piece of this, the cost is about the same as they were on the east side, hope it is acted on actively, the minimum that you have to assess is 20% it could go down to \$3100 or at 25% could be \$3860 then it is levied to the tax and taxes would go up. There is a lot of want for this, but not a lot of need, it won't develop any growth. There is the fire protection and a reliable source of water. People will have major maintenance issues down the line as a community it will be problematic, also on the sewer side of things; the different systems, at what point does the community bring it together. The MPCA may eventually force us to provide this. There are cluster systems that would be cheaper. It's easier as a community than with an association, there is going to be growth and it will keep compounding this issue. There are homes in Rochester that are still on wells. Attorney Fred Suhler; they appealed, that the market value added to the home was less than the assessment. The city has gone out to Marion township for city water.
4. **Confined Space Equipment:**
 - Confined Space Gas Monitor Kit = \$1500 (LEL, O2, CO, H2S)
 - Safety Harness = \$175
 - Rescue Tripod & Winch = \$1200
 - A / C Axial Blower/Duct = \$600 (OFD may have)**Mayor Scott Keigley motioned purchase all the confined space equipment, Councilor Kevin McDermott second;** discussion; could it be non permit entry space, classify the spaces so some of this would be unnecessary, it is for the vault and the manholes, they need to access them, it is very rare but will need to access them. The vault at the reservoir has the temperature gauge; we need to make sure we have what we need. **Mayor Scott Keigley amend motion to: if we don't already have this equipment at the Fire Department and if we don't need it, we don't purchase it, Councilor Kevin McDermott second; Ayes: Councilor Paul Briggs, Councilor Kevin McDermott, Mayor Scott Keigley, Naves: Councilor Brian Breider. Motion passes.**
5. **PPE & Spill Equipment - Chemical Room @ Well #1**
 - Wall mount eye/face wash station & plumbing materials = \$325
 - 20 Gallon Spill cleanup kit = \$150**Mayor Scott Keigley motioned to purchase the wash station and spill cleanup kit, Councilor Brian Breider second; all in favor, motion carried.**
6. Pay Requests: Ellingson- \$60458.60, Bonestroo – \$10842.75 **Mayor Scott Keigley motioned to pay Ellingson and Bonestroo, Councilor Brian Breider second; all in favor, motion carried.** Ellingson has approached City Engineer Joe Palen for additional requests for \$10,000- \$15,000 that can be gone over; it is associated with the delays of the developments

and additional moving of equipment. City Engineer Joe Palen can present it to a few City Council members or all of City Council. Councilor Paul Briggs and Councilor Kevin McDermott will meet with them.

VII. PETITIONS, REQUESTS, & COMMUNICATIONS*

- A. MAOSC; MN Association of Small Cities Dues: \$269.93 **Councilor Kevin McDermott motioned to not join the MAOSC, Councilor Paul Briggs second; all in favor, motion carried.**
- B. Complaints: Letters have been sent to these locations.
 - Dog complaint: 330 1st Ave. NE; basic care
 - Dog complaint: 250 E Center Street; barking

VIII. UNFINISHED BUSINESS*

IX. NEW BUSINESS*

X. CONSENT AGENDA*

A. APPROVED BUILDING PERMITS*

B. TASK LIST

Environmental review close it; website, one phone call left before it can be switched over

C. MEETING MINUTES

- 1. Regular City Council Meeting Minutes – 11-15-2010
- 2. Special City Council Meeting Minutes – 11-23-2010
- 3. Special City Council Meeting Minutes – 12-7-2010
- 4. Special City Council Minutes – Public Hearing – 12-16-2010

D. FINANCIALS

- 1. MBIA Account Summaries
- 2. Budget – available at the office to view
- 3. Accounts Payable
- 4. Accounts Receivable
- 5. Transaction Report

Mayor Scott Keigley motioned to accept the consent agenda, Councilor Kevin McDermott second; all in favor, motion carried. Mayor Scott Keigley closed the Regular CC meeting at 8:55pm to go into closed session.

XI. CLOSED SESSION

Mayor Scott Keigley closed the closed session at 9:15pm.
Mayor Scott Keigley closed session was to discuss the status of the litigation.

XII. ADJOURNMENT

Mayor Scott Keigley motioned to close the regular meeting at 9:16pm, Councilor Brian Breider second; all in favor, motion carried.

Respectfully Submitted,

City Clerk

Mayor