

City of Oronoco
Regular City Council Meeting Minutes
February 17, 2010 @ 7:00PM

I. CALL TO ORDER

The meeting was called to order at 7:03pm by Mayor Scott Keigley.

II. ROLL CALL

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

III. APPROVAL OF AGENDA

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

IV. PUBLIC FORUM

Susan Bartels; 5008 60th Street SW, Rochester, owns the property at 510 Vintage Road NW, Oronoco, the Amish barn. They are trying to determine what they can do with the remnants of the land. The building taxes have gone from about \$3000 to \$8000. They have some ideas and are looking at a variance to the ordinance. They wanted to speak to council before spending the \$250 for the variance; it is not viable for highway commercial, there is low visibility and they were unable to make it as the existing business and had to close after one year. Mayor Scott Keigley; on April 20th they can come and explain why the taxes should not be as high. Councilor Kevin McDermott; they can present the case to the county as to why the tax should be lowered. Susan Bartels; should they be consulting with someone else; they had talked about storage units with P&Z and that is not allowed. Attorney Fred Suhler; you cannot get a variance for a use that is not permitted; you can submit to change the ordinance or submit for a conditional use permit. Councilor Brian Breider; P&Z gave the direction to Wayne Smith to come to council to change or modify the ordinance. If there are other plans those can be considered by P&Z. Susan Bartels; almost anything listed under business would work. They didn't see anything listed that they could make work. They had tried to get a lot split which was denied. Susan thinks that with light manufacturing they may be able to sell the property. They have been approached for some small businesses that's why they thought storage sheds would work with S & M located so close. Next step: brainstorm with P&Z. Councilor Brian Breider; it depends on whether council would consider changing the ordinance. Attorney Fred Suhler; at one point it was decided that that use was not permitted and if the ordinance is changed then it is changed for everyone. With a CUP council could set limitations that would control what is allowed. Variances are not designed to allow for something that is not permitted. Councilor Brian Breider recommends putting a plan together if you want to rezone M1, but M1 is not included in the FLUP and they can only rule what's on the books. **Mayor Scott Keigley motioned to have P&Z revisit the storage shed issue, Councilor Kevin McDermott second; discussion: Attorney Fred Suhler; consider a CUP rather than re- zone one small area. The thinking was not to have it look like the area driving into Rochester. All in favor, motion carried.**

Mayor Scott Keigley made 3 calls for public forum; public forum closed at 7:18pm.

V. DEPARTMENTS & COMMITTEE REPORTS

A. OCSO ~ Sgt. Mike Morrow

B. FIRE DEPARTMENT ~ Dan Sundt, Fire Chief

1. Runs – 4: 2 medical assist, 1 fire –milk truck, 1 canceled en-route
2. Sirens – bid \$2274.00 Chris did some research and they can vary the length and some adjustment of the tone, the Fire Dept thinks it does alert the members. They could maybe centralize the siren so it's not so loud downtown. Dan has cut down the number of tests to a monthly test.

3. Reimbursement food – Fire Prevention Week 2009; \$202.85 City funds can't be used for fund raising, donation money can. But is Fire Prevention fund raising or and educational event. Mayor Scott Keigley considers it an educational expense. Gold Rush donates the funds for city events such as NNO, 4th of July, and Clean up day. **Mayor Scott Keigley motioned to pay the bill Councilor Kevin McDermott second; Ayes: Mayor Scott Keigley, Councilor Kevin McDermott, Councilor Jackie Hall, And Nays: Councilor Brian Breider.** The Fire Dept. may be able to use Gambling money once they start it for events like that.
 4. Chili Feed – March 7th @ 11am – 3pm: it is a fundraiser to get people out to the Fire Dept.
 5. NIMS Training started; they will be CPR certified; they started last month and the members are working on that training.
 6. February 20- 21 – Hazmat 40 hour training; Riverland will be training on line and on Saturday and Sunday; they are doing the training for free, they will also be paid for the training.
 7. Gambling: waiting for state confirmation should be able to start March 1st.
 8. Two Members retiring: John Stolp; 23 years & Jerry Lubahn; 15 years and now a third Pete Dolan turned in his resignation last Thursday; the member count will drop it down to 20 by midyear.
 9. Fire Truck Grant; waiting for results,
- C. FIRST RESPONDERS ~ Jeff Allhiser, 1st Responder Director
1. Runs – 6 runs; township
 2. 2010 EMS Conference fees: \$630.00, seven members attending; it's at Rochester it runs three days Chris is the only one signed up all three days. **Councilor Kevin McDermott motioned to approve the fees, Councilor Brian Breider second; all in favor, motion carried.**
 3. Send the bill to township for \$6000.
 4. Karen Novak has resigned but with the new people they have about 14 members.
- D. EOC ~ Pat McGovern, Director
- E. PERSONNEL
1. Part-time Seasonal Grounds Keeper: Mayor Scott Keigley; Tim would be willing to work overtime as opposed to hiring another person; council needs to agree to pay overtime. Councilor Brian Breider; with the changes in the upcoming year rather than the ads and the interviews, he recommends 10 additional hours as needed. Tim will keep City Council posted next fall and into next year. The city is authorized to have placement of a STS worker here and Tim can sign off on their paperwork. He has put in a request that if they have additional people that the city can use them. **Mayor Scott Keigley allow up to 10 extra hours of overtime, not comp time, Councilor Jackie Hall second; all in favor, motion carried.**
- F. ORDINANCES & RESOLUTIONS
- G. DOWNTOWN ORONOCO GOLD RUSH DAYS* ~ Co- Chairs Councilor Kevin McDermott, Councilor Brian Breider.
1. Meeting Minutes –
 2. It was a productive meeting Councilor Brian Breider is the chair for upcoming year and Dan Ondler the co-chair. They went through the by laws and what needs to be done there.
- H. PARKS & TRAILS*
- Justin Bouwkamp is interested in putting canoes in at park. They discussed putting a sign at the canoe landing with the history center highlighting the historical significance of the location. Park's is in need of more members; Grant Bauman resigned. There will be no meeting in March. Councilor Brian Breider; Justin came to P&Z as well; he has excess canoes that he is willing to put at Oronoco Park but there is a question of liability, there would have to be someone there. It would need to be staffed. Councilor Kevin McDermott; possibly have Justin staff the canoes with his worker's and make sure the city has no liability.

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

J. COMMUNITY CENTER*

K. STREETS & ROADS*

1. RWH & CW – snowplowing; snow was removed within 24 hours what can the city do, the one morning people couldn't get out for work. Even as a government entity it is difficult to get the roads plowed. Is it after 24 hours or the amount of snow, but it's 24 after the snow stops Attorney Fred Suhler take the position that Fitzpatrick should replicate what the city is doing. City makes sure it's clear in the morning a lot of people are paying taxes and the roads are not being done.
2. West Frontage Road – enclosed 2007 feasibility report for review
Included the report that was completed in 2007 because there is interest in that area again some of it is not pertinent but some is.

L. PLANNING & ZONING*

1. Meeting Minutes –
Wayne Smith came into ask about a storage facility and Justin came in about a sign.
2. Public Hearing Set for March 2nd @ 6:45pm for annexation and zoning of the Hall property on the west side of Hwy 52.
 - Set Special City Council Meeting to run jointly with P&Z; Mayor Scott Keigley has class that night and City Engineer Joe Palen has potential for a meeting that evening. By fast tracking the meetings it may fast track the frontage road. If the meeting does not work for City Council on the 2nd it can be scheduled for the 3rd. City Council meetings must be posted and P&Z public hearings must be published.
3. Communications Committee
 - Meeting Minutes
 - Website – been progressing on the website Carl, Paul, and Sandy had training. Councilor Paul Briggs has been adding information to the new website.

M. WATER & SEWER*

1. Minutes
2. Pay Requests – Bonestroo; \$5254.25 Mayor **Scott Keigley motioned to pay Bonestroo, Councilor Jackie Hall second; all in favor, motion carried.**
3. Water System Feasibility Study – 2nd Phase; Area to study. They have initiated the study but nothing to report.
4. Resolution 10-01; Authorizing the Submittal of the Small Communities Wastewater Treatment program TAG application **Mayor Scott Keigley motioned to adopt Resolution 10-1, Councilor Brian Breider second; Resolution 10-01 authorizing the City of Oronoco to submit a small community wastewater treatment program technical assistance grant application to the MN Public Facility Authority. Ayes: Councilor Jackie Hall, Councilor Brian Breider, Mayor Scott Keigley, Councilor Kevin McDermott. Absent: Councilor Paul Briggs, motion passes.**
5. Well sealing – Olmsted County Correspondence for the requirement of sealing wells.
6. Appraisal & Testimony - \$5525.00 Attorney Fred Suhler; there was a commissioners hearing on February 3rd. City Engineer Joe Palen and the appraiser testified as well as a Rucker family member and their appraiser. This is the way the process works. The appraisal needed to be updated because theirs came in much higher; they came down to \$185,000 and they also indicated that the number may be as low as \$100,000. It is still a long way from the city's number; there is still a big difference. The money spent for the alternative is worth it. The Rucker's feel the city is ruining the property; there has been some long standing feeling that they are being treated unfairly. Councilor Brian Breider; how does it end? Attorney Fred Suhler; the 3 commissioners will make their report with the decision and if there is still a dispute it would go to court in about two and half years. **Mayor Scott Keigley motioned to pay the \$5525, Councilor Kevin McDermott second; all in favor, motion carried.**

VI. PETITIONS, REQUESTS, & COMMUNICATIONS*

VII. UNFINISHED BUSINESS*

VIII. NEW BUSINESS*

A. OFFICIAL DESIGNATIONS

1. Committee Representatives:

- Planning & Zoning: Councilor Paul Briggs. Attorney Fred Suhler will check the statutes to see if a second member is required.
- Communications Committee – Councilor Paul Briggs
- Personnel Committee – Mayor Scott Keigley and Councilor Brian Breider

IX. CONSENT AGENDA*

A. APPROVED BUILDING PERMITS*

B. TASK LIST

C. MEETING MINUTES

1. Regular City Council Meeting Minutes – 01-20-2010

D. FINANCIALS

1. MBIA Account Summaries
2. Budget – available at the office to view
3. Accounts Payable – new accounting program report: shows bills paid and those with a 0 for the check number are due.
4. Accounts Receivable
5. Transaction Report

Mayor Scott Keigley motioned to approve the consent agenda, Councilor Brian Breider second; all in favor, motion carried. Mayor Scott Keigley called a 5 minute recess at 8:10pm; the meeting was called back to order at 8:15pm. Attorney Fred Suhler; the statute states that the P&Z commission may or may not include a City Council member; it must then modified in the ordinance. The commission is a quorum with 4 members. Mayor Scott Keigley stay the way it is with Councilor Brian Breider and Councilor Paul Briggs. City Engineer Joe Palen; one other thing is for Northland property access with the second access for 2nd Ave. There should be a plan with the drainage and reason why it is needed. If there is a legitimate reason for the second access then it should come in with the actual plan for a building; do not deny access but show reason why it is required. City Engineer Joe Palen thinks he wants something from the City Council that there would be an access in order to sell the property. That parcel is also flood prone and there will have to be similar documentation to this parcel as with the Munson parcel.

X. ADJOURNMENT

Mayor Scott Keigley motioned to adjourn at 8:25, Councilor Kevin McDermott second; all in favor, motion carried.

Respectfully Submitted,

City Clerk

Mayor