

**CITY OF ORONOCO
REGULAR CITY COUNCIL
MEETING MINUTES
January 19, 2005
7:00PM**

I. CALL TO ORDER

The meeting was called to order by Mayor Bertsinger at 7:04PM.

II. ROLL CALL

Present: Joy Bertsinger, Jackie Hall, Scott Keigley, Kevin McDermott, Clerk Cheryl Nymann,
Attorney Tom Canan, and members of the Community.

Absent: Tom Novak

III. APPROVAL OF AGENDA

(Additions in Blue) **Bertsinger motioned to approve agenda with additions, Hall second; all in favor, motion carried.**

It was noted that Tom Novak arrived at 7:07PM coming in from the P & Z Public Hearings.

IV. MEETING MINUTES

A. 12-20-04 Regular CC Meeting Minutes
**P. 3. 3rd Line, change lower to blower; P. 4. Change preliminary plat to 60 days;
P. 5, H. 2. change to east side of hwy; pg. 7. XI. A. Change Fitza to Fitzpatrick;
P. 7. omit 2nd meetings; P I Change ship to shop**

B. 1-3-05 Special CC Meeting Minutes

C. 1-6-05 Hwy. 52 Public Hearing Minutes

**P. 2 under Weitzel change Hwy. To Hwy. and under Sanders, change Sandy to
Cindy; p. 5 under Justin insert 'made' after has**

D. 1-6-05 Special CC Meeting Minutes

Bertsinger motioned to approve minutes with above noted changes, Keigley second; all in favor, motion carried.

V. FINANCES

A. Financial Reports (Budget, 4M Fund)

B. Council Approval Report (Bills to be Paid)

Clerk Nymann indicated an addition to this is a check to Seattle Passport Agency.
Bertsinger motioned to approve A & B, McDermott second; all in favor, motion carried.

C. Pay Final Invoice for Siren, \$4,007 (FYI)

D. USTI Maintenance Agreement for 2005 \$1,170

The maintenance agreement is necessary to receive updates, and since it is a newly used system, Clerk Nymann suggested to keep the maintenance on the financial software that she and Tom Cummings installed at least throughout this year. Clerk Nymann was directed to ask on list serve if any other city pays a maintenance agreement for updates on their financial software. **Bertsinger motioned to pay the USTI Maintenance Agreement for the City's financial software, Hall second; all in favor, motion carried.**

E. (FYI) Dividend Received from LMC Insurance Trust was \$3,036

Keigley motioned to put the dividend money into the Community Center Special Funds, Hall second; all in favor, motion carried.

F. Payment to SEE for \$141.00 for Street Paving Project

Bertsinger motioned to pay, Keigley second; DISCUSSION: Questions arose about peoples problems with driveways matching up to the newly paved roads. City Engineer, Steve Voigt was present and reminded Council that it was their decision at the beginning of the paving project to have property owners responsible for hook ups to the paved streets. Extreme cases would be handled with routine maintenance. **All in favor, motion carried.**

G. PERA & AFLAC for Council

Clerk Nymann informed Council that PERA and AFLAC is available to Council, and if they are interested, they should see her.

VI. BUILDING PERMITS

None

VII. CITY DEPARTMENT & COMMITTEE REPORTS

A. Personnel Committee

1. Ward Field 1 year Evaluation

a. Review area city maintenance salaries and LMC Salary surveys for cities with population from 834 – 1019.

b. Personnel Committee Evaluation

Bertsinger began with informing Council that the personnel committee met with Ward for his 1 year review. His starting date was 1-12-04. She stated this year's budget had a built in raise of 5%. Ward has asked for a 15% increase in pay (an additional \$2/hour). Bertsinger presented a spreadsheet to Council of pay and increases over the past year. She stated she is concerned of the rapid pay increases. She briefly stated results of the survey that City Hall prepared, which compared what area cities pay their maintenance positions. Keigley stated that Ward is worth it, and that in other cities in the area there are 2 maintenances individuals, along with hiring out some of the cleaning duties and grounds keeping. Bertsinger pointed out that some of those other cities have water

treatment facilities. Novak thought the Maintenance pay of \$11.50 was underpaid to begin with, and that the position should be on track with everyone else. Keigley stated that Ward certainly has exercised his abilities in his job performance. Novak stated that much of the consideration should be given to his supervisor. Clerk Nymann stated that she is the Maintenance direct supervisor and her review with Ward stated that he displays dependability, quality workmanship, efficient, and maintains logs on boilers, and machinery; and he has initiative. McDermott stated that other Cities farm out some services, while Ward does it all and that needs to be taken into consideration. **Keigley motioned to increase Ward's pay to \$15 per hour (a \$2.00 per hour increase), Hall second; DISCUSSION:** Clerk Nymann asked for an effective date. **Friendly amendment to add wage increase effective January 13th, AYES: Hall, Keigley, McDermott, Novak; NAYES: Bertsinger.** Bertsinger stated that she thinks Ward is doing a good job, she is just concerned about the rapid pay increase.

B. Olmsted County Sheriff's Office ~ Sgt. Darnell

1. December Reports

Sgt. Darnell was unable to attend tonight's meeting, but wanted it known that there are tenants above and below in the property on 15 MN Ave. N., which is currently not zoned for multi-dwelling. Canan stated that illegal acts which would be lease violations should be reported to OCSD,

2. Sheriff Borchardt

Bertsinger stated that Sheriff Borchardt suggested the City think about increasing the Patrol Hours in the City for upcoming budgets. As the City is growing, 20 hours currently being contracted for would not be enough.

C. Fire Department ~ John Stolp

1. Flyers for new recruits were sent, and they went door to door.
2. The new truck was checked over, and is in good working condition. It was recommended to do an ISO flow test
3. ISO retest will occur this summer.
4. Current ISO rating for the city is 8.
5. FD recently had a dual call with Pine Island out on Cedar Beach.
6. Special funds requests for foam and flow test will be broken out. Funding is as follows: For the foam: \$8,000 from DOGR, \$4,000 from their relief association, but that leaves about \$2,000 short for the turnout gear racks.
7. John stated that he's been working with Pine Island on the contract for dual services. He wants Tom Canan to look at the draft. The dual agreement is for Pine Island and Oronoco to respond to City and Township calls together.

D. 1st Responders ~ Gwen Holt

1. Gwen reported that at their meeting in December they voted to have the following officers
Director: Gwen Holt
Asst. Director: Mary Lubahn
2. Total of 7 runs in December: 1 City, 6 in Township
3. She attended the township meeting and they indicated a bill was needed for the township. Question was brought up whether the City was happy with the amount that was being paid to the 1st Responders (currently \$4,000). Council will look at this at budget time. Clerk Nymann indicated that the City has never invoiced

them before, Gwen will ask Mary if they produce the invoice, or if the City should.

4. Scott Keigley is the Fire Department and 1st Responder Council Liaison.

D. EOC ~ Dennis Blanck

1. It was noted that Dennis may be looking to step down from this position. Council asked John and Gwen to ask their volunteers if they're interested in the position.

F. Community Center

1. Window Abatement Update

Clerk Nymann reported that she spoke to Larson's and they properly abated the windows and glazing with Veit and that there was no charge to the city. If the City replaces windows in the future, there would be an abatement charge.

2. Bertsinger stated she was the Council rep for the Community Center Committee, along with Cheryl and Ward, and she has gotten 2 reps from the seniors to sit on the committee. Clerk Nymann added that Ed Murray also agreed to sit on the committee.

G. . Planning & Zoning

1. 2004 Building Permits Issued

2. Shed on 3rd St SE ~ Ronnie Phelps

Originally there was no building permit for the shed, which was brought to the City's attention by Lyle Plumehoff (Olmsted County Inspections). The shed was placed in the City right of way. Council determined to wait to decide what to do until after what was going to happen with road during the paving project (because the road is off center line). **Keigley motioned to deny the building permit and have Attorney Canan send a letter to move the shed, Hall second; all in favor, motion carried.**

3. River Oaks Subdivision Preliminary Plat

Dan Zemke and Joe Lonzo were present. Dan informed Council that the name has changed to River Park Subdivision. Dan gave an overview of the project; 85 lots served by one well (located in Outlot B), Collective system for sewer (located in Outlot A), and 3 stormwater ponds. The DNR issues will be discussed Monday at 4PM. Dan is asking for approval on preliminary plat contingent on DNR's approval. He said they're confident that the design will be adequate. There is also a designated aquatic easement on the preliminary plat. City Engineer Steve Voigt stated that the DNR wants to look closely at this and recommended that the City not take action on the Preliminary Plat. It was clarified that March 6th is the 60 day extension deadline beyond the initial 120 days. It was also pointed out that the DNR does not maintain the aquatic easement, the City would. Erosion control was also discussed. It was determined that McDermott will attend the meeting on Monday with DNR, and he will notify Council of outcome. Clerk Nymann asked about the access to Cedar Woodlands off River View LN SE. It was determined that Dan needs to service that lot himself.

4. Ordinance for Final Plat
 Clerk Nymann will also get this info to P & Z Committee. Clerk Nymann, Steve, and Tom met and discussed the Ordinance. Tom worked up a rough draft. The main changes were in Section 10.9 which went into greater detail, and Section 10.08 which stated that all 3 documents for Final Plat must be submitted at the same time. In summary the biggest change was that the final construction plans, and development agreement must be submitted before final plat approval, and that the final plat would not be passed by Council until the City Engineer has his final recommendations. **Bertsinger motioned to call for the first reading of Ordinance 05-01 concerning requirements for review of proposed final plats, Keigley second; all in favor, motion carried. Bertsinger then gave first reading of Ordinance 05-01.** Discussion on putting language in for an enforcement clause with penalty. **Bertsinger motioned to have the Clerk send a letter to Jech for a copy of their MPCA stormwater permit, Hall second; all in favor, motion carried. Bertsinger motioned to have Canan make necessary amendments, Hall second; all in favor, motion carried.**
5. Orderly Annexation Agreement Update
 Township will review at their OPAC meeting at the end of the month, and then to Township first meeting of the month.
6. February Council Meeting
 Was originally set for the 23rd, but there was a P & Z meeting and Dog Class here that night. **Bertsinger motioned to have the February meeting changed to the 24th at 7:15PM, (with DOGR meeting at 6:00PM), Hall second; all in favor, motion carried.**
Bertsinger motioned to have a Public Hearing and second reading on Ordinance 05-01 on February 24, 2005 at 7:00PM, McDermott second; all in favor, motion carried.

H. Streets & Roads

1. Riverwood Lane SW ~ Steve Farrell
 Steve Farrell was present and had a petition asking the City to take over the private street (Riverwood LN SW). Some residents knew that was a private street, and some didn't. Discussion on plowing, sanding, homeowners association responsibility in it, and road standards. Both Steve Voigt and Tom Canan stated it was not a good idea that the City allow City sand/salt put down on the private streets as it poses a liability hazard. Dan needs to help out the homeowners via the association. **Bertsinger motioned to authorize Stolp's to plow and sand and salt Riverwood Lane SW, Hall second; DISCUSSION:** Issues brought up of liability, and sending bill to someone who isn't expecting. **Bertsinger withdrew motion. Keigley motioned to have the City send a letter to Dan Fitzpatrick about the urgency that residents road concerns aren't being adequately solved, Novak second; DISCUSSIONS:** Also include in the letter the City's concerns about emergency personnel gaining access to this area and why hasn't the homeowner's association (as stated in the development agreement) been activated yet. **All in favor, motion carried.**
2. Riverwood Drive SW

Steve looked at the street and will give the city a letter on RWD Stipulations. **Bertsinger motioned to accept Riverwood Drive into the City, Hall second; all in favor, motion carried.** John and Larry Stolp were instructed to maintain Riverwood Road SW as part of the City. **Bertsinger motioned to take responsibility for 2004 Nov. and Dec. bills on Riverwood Road SW, Hall second; all in favor, motion carried.**

*Bertsinger called for a brief recess at 9:15PM.
The meeting was called back to order at 9:25PM.*

I. Highway 52

1. West Frontage Road

Bertsinger began discussion by stating that, according to public input from the Public Hearing, the frontage road on the west side needs to be pursued. Keigley also stated that the city can find different road construction outfit and explore bids other than the price MnDOT gave to the City. **Bertsinger motioned to that according to residents, the City needs to process with the west frontage road extending straight south off 12th St SW to County 12 S., Hall second; DISCUSSION:** This action sets the next step of the planning process for the frontage road; **all in favor, motion carried.**

a. Options for City from Tom Canan

Tom presented information on annexation of land for west frontage road for the city to review.

b. Review of Joy & Kevin's Mtg. with Pat Hall

Joy and Kevin had a meeting with Pat on Saturday. According to their conversation, Pat is willing to work with the city on the west frontage road that would run thru his property. Currently Pat is NOT looking at developing that property. Pat wants to have the City help him with issues related to the County. It was also noted that the current field road (where the frontage road would go) was where the original Hwy. 52 ran (previously called Hwy. 20), so it has a good strong base-and Pat said that they never dug up that base when farming the land surrounding it. Now, a meeting needs to be set up with Pat to give him more specifics, such as total acreage that the frontage road would require, and specs. It was determined that Clerk Nymann will email Jai to get a lot of this information, because the MnDOT engineers should have already prepared it. This is information will be brought back to the next meeting. Dwaine Stolp spoke up and encouraged to keep township involved because they may help pay for some of the costs also.

J. Downtown Oronoco Gold Rush

They had discussed letting vendor some in at 8PM on Thursday after food vendors were all set up. They are looking for another person to sit on the committee.

K. Parks Committee

1. Introduce Committee Chair

Committee Chairman Adam Brase was present and introduced. It was noted that Charlie Fried would like to sit on the committee, maybe Lance Sorensen, Don St. George and Steve Mohlke would be interested in sitting on the committee also. Adam stated there are a number of opportunities for grants available to small communities. He stated a needs assessment would be done first.

2. Clerk Nymann informed Council that Caryl Cowden passed away. Clerk Nymann gave the plaque for Caryl Cowden Park to Don Baker for Caryl's funeral.

L. Water / Sewer

Southeast Minnesota Wastewater Initiative ~ Sheila Craig

Sheila introduced herself and explained her job was to help small communities look at their options on improving how wastewater is dealt with. Currently, the City of Oronoco is on MPCA's list of 'concerns about septic systems'. MPCA can enforce options, but they would rather work with Cities. Sheila's job is to help with the options and process, and that they don't advocate anything. Sheila reviewed the process, there would be no cost for their services to help the city look at their options. Bertsinger summarized Sheila's presentation and stated these points needed to be considered: a. Just because the City is going through this process, doesn't mean it's going to happen, and b. Sheila's grant ends January of 2006. Bertsinger asked is this something the City needs to look at? Novak stated that the City should have an 'idea' in place. The options are to have an information meeting or an educational meeting. The program is about 1½ hrs. long. **Novak motioned to set up an informational/educational meeting up at the end of February, Hall second; all in favor, motion carried.** Sheila will get back to Clerk Nymann on days that will work for the meeting. There is also an Operational and Maintenance class on septic systems that could be offered.

VIII. PUBLIC FORUM

15 Minute Time Limit ~ For items not on the agenda only.

Otto Reis was present and stated that he received a letter from MnDOT and he has a new appraiser. He's not happy with the figures the previous appraiser and the contacts with MnDOT. He stated that MnDOT doesn't treat people very well.

COUNCIL BREAK

IX. PETITIONS, REQUESTS, COMMUNICATIONS

- A. (FYI) Letter sent to Mr. Breatzman about barking dog complaint
This has been taken care of.
- B. MCFOA Conference in St. Cloud, March 17th & 18th for Cheryl & Sandy
Bertsinger indicated that the budget really has to be watched, and that Council will be unpopular people at times for decisions that they make. Clerk Nymann indicated that for both to attend the MCFOA Conference in St. Cloud would put the hotel room over budget. Clerk Nymann indicated that she prefers attending the IIMC conference in May, and that it would be good for Sandy to attend in March.

Bertsinger motioned to send Sandy to the MCFOA Conference in St. Cloud in March, Hall second; all in favor, motion carried.

- C. IIMC Conference in St. Paul May 22nd – 26th for Cheryl
This was tabled until the educational sessions are released.
- D. Local Board of Appeal & Equalization Training
Bertsinger will attend this.
- E. Pine Island Area Home Services
Maybe someone from the seniors group could attend this.
- F. Capital Improvement Planning in Owatonna, Thur., Jan. 27th from 9am-3pm; Cheryl would like either a Council Member or herself to attend. ~ presented by David Drown Associates It was determined that Bertsinger and Clerk Nymann will attend this, Keigley will check to see if this date will work into his schedule.
- G. OCHRA meeting
This was inadvertently omitted. Clerk Nymann will forward the info via email.

X. ORDINANCES & RESOLUTIONS

- A. Olmsted County Association of Townships ~ Request for Resolution
County Townships want Cities to pass a resolution to have Phil Wheeler to be employed for the county only, instead of county and City of Rochester. The City of Oronoco doesn't have specific instances, and not enough information to make a decision on this.

XI. OLD BUSINESS

- A. The Cost of Public Services in Oronoco ~ Preliminary Report
Clerk Nymann will send a letter stating they discussed results.
- B. Council's 2nd meeting per month
Bertsinger stated that tonight is a good example that there was a short agenda, but the meeting was too long, and 2nd meeting a month should be considered. Keigley and Novak thought a 2nd meeting a month might be difficult to schedule. Novak stated confidence in Bertsinger to move items on the agenda quicker. This will be tabled until after the February meeting.

XII. NEW BUSINESS

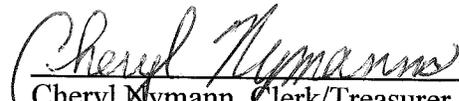
None submitted.

XIII. ADJOURNMENT

Hall motioned to adjourn at 10:52PM, McDermott second; all in favor, motion carried.

Respectfully Submitted:


Joy Bertsinger, Mayor


Cheryl Nymann, Clerk/Treasurer