City of Oronoco
Special City Council Meeting Minutes
Tuesday, October 3, 2006
8:00PM

I. CALL TO ORDER

Councilor Scott Keigley called the meeting to order at 8:03PM

II. ROLL CALL

Present: Councilor Scott Keigley, Councilor Jackie Hall, Councilor Kevin McDermott, Councilor Tom Novak
Absent: Mayor Joy Bertsinger arrived at 8:45PM

III. CEDAR WOODLANDS II

a) EAW Review

Mr. Jeff Broberg, McGhie & Betts was present and gave a brief overview of their response from the EAW. Mr. Broberg will be sending City Engineer Joe Palen and the City maps that were being referred to in their comment letter. Natural Heritage (DNR concern) database hasn't changed, and will submit the newly updated copy to the City. Mr. Broberg also discussed late comments from Olmsted County Environmental Commission concerning wetland issues, filing of permits, and whether the EAW was voluntary or not. City Engineer Joe Palen recommended addressing the steps that need to be taken now. No final decisions can be made on the project until the Council decides on the EAW. Councilor Scott Keigley asked City Engineer Joe Palen for his recommendation. How strongly does the City feel about the comments, and the responses that McGhie & Betts made are logical. This will be deferred until a later time in the meeting until Mayor Joy Bertsinger arrives. Reviewed the earlier comments for Mayor Joy Bertsinger. Council felt comfortable with comments from McGhie & Betts as well as City Engineer Joe Palen comments, and that no further in depth study was needed. **Mayor Joy Bertsinger motioned to find negative declaration, Councilor Jackie Hall second; Mayor Joy Bertsinger accept resolution 06-21, Councilor Kevin McDermott voice vote, all in favor/motion carried .**

Break at 9:17 pm.
Reconvened 9:22pm

Mayor Joy Bertsinger motioned to renumber Resolution 06-21 to 6-22, Councilor Jackie Hall second; voice vote all in favor, motion carried.

b) Special District

City Engineer Joe Palen stated language in document and information shared with City Attorney Tom Canan has all been good. **Mayor Joy Bertsinger motioned to accept Special District revision as Resolution 06-23, Councilor Scott Keigley second; voice vote all in favor, motion carried.**

c) CUP

Requirements features from Shoreland Ordinance. Nitrate loading issue brought up by Olmsted County in the EAW; City has more restrictive requirements than the County, and the Developer falls within the City Ordinance in this phase. Private septic systems do not treat nitrates. The City will need a map with building envelopes in building permits. **Mayor Joy Bertsinger motioned to accept CUP for Cedar Woodlands II on condition that building envelopes and setbacks are included on building permit map, Councilor Scott Keigley second; all in favor, motion carried.**

d) Update from Joe Palen on Preliminary Plat *(Construction Plans & Developer's Agreement as it pertains to Parkland Dedication)*
City Engineer Joe Palen has had meetings with Adam Brase, Parks Committee Chair, and McGhie & Betts on the Parkland Dedication part of the Development Agreement, and, the City has some choices.

- The Parkland Dedication Ordinance requires 10% (however if in flood plain, steep, etc. it doesn't qualify). And Outlot B does not meet any requirements for what Parkland can be.
- The City can say Outlot B and cash isn't acceptable, requiring them to put in, pay for it, and dedicate it to the City, just as any other infrastructure issue.
- The Parks & Trails Committee would like a trail, and could accept an easement from the developer to put in the trail and to maintain it.

City Engineer Joe Palen doesn't believe it is maintainable as a gravel trail, so it would need to be bituminous. discussed pathway to Outlot A. City Engineer Joe Palen Parkland estimated the Parkland Dedication at around $30,000. Mr. Broberg seeking that the required $34,000 and offset that towards cost of the trail developments projected by McGhie 7 Betts at $52,000, and asking the City to credit the overage to Mr. Fitzpatrick if trail costs as high as projected. Also discussed credit to the future development and the City's cost. This is an issue for Council and Mr. Fitzpatrick to work out. Cedar Woodlands II property stops short of (75') of River Park {it stops at the fence line}. Mr. Brase complimented City Engineer Joe Palen on summarizing the Parks & Trails Committee views on this very well, and their idea would be to swap cash for construction of the trail, and credit for future Cedar Woodlands Development. Mr. Broberg would like Council to give Mr. Fitzpatrick a direction to go. City Engineer Joe Palen considers this trail as infrastructure. **Mayor Joy Bertsinger motioned to construct the trail from Woodlands Lane to the River Park and the City would apply a $5,500 credit towards future Cedar Woodlands Developments, and accepting the land in Outlot B, Councilor Scott Keigley second; DISCUSSION:** City will have to maintain pathway, as well as a strip of mowed lawn on each side of the trail; **all in favor, motion carried.**
City Engineer Joe Palen noted a few more items in development agreement to discuss:

- Sanitary sewer not provided on Cedar Drive SE, an acknowledgement that issue (future digging up of road would be necessary);
- Retention Pond will go at back of Lot 7; if City is going to maintain it, then they should own it as well, however, the homeowners association will have an easement within 2 lot owners and maintain the storm water pond through the homeowners' association (every 15 years it needs to be cleaned out).
- The City must have a sunset on the fund for paying back the disconnection fee to homeowners after 12 years.
- Payment of consultant services, and Mr. Tointon modified to not have it in there (p. 11);

Enough information has passed back and forth to continue working on developers' agreement before the next Council meeting along with Construction Plans, building permits and looking at grading plans (currently not getting house elevations, or ultimate way the developer vision of what's going to happen). Should have a master plan on how it's suppose to be done. Document could be used to check individual grading plans and building permits against it. The City's Ordinances already require it. City Clerk Cheryl Nymann will ask builders to submit the grading plan), along with the building permit to check in future developments. Make sure covenant is taken care of by Mr. Fitzpatrick in the future.
City Engineer Joe Palen previously approved preliminary plat and suggested to re-approve it so it falls in sequence with everything after EAW.

- There was one difference in Preliminary Plat where a lot line for Lot 1 goes straight in the back because of the terrain.
- Contours keeping tails outside of Lot 2, Block 2.
- Widened easements to accommodate trail.

Mayor Joy Bertsinger motioned to approve the revised preliminary plat with PUD resolved, Councilor Scott Keigley second; all in favor, motion carried.
Dan asked what needed to be done now to get started. Dan will provide NPDES permit. However, City Engineer Joe Palen pointed out that there are some liability issues for the City if Dan begins work because there is no Development Agreement in place.

IV. STREET LIGHTS IN RWH & RIVER PARK SUBDIVISION

Councilor Kevin McDermott and City Engineer Joe Palen have been working on this together. The consensus is to install coach lights; which are semi-decorative to be installed at intersections, 8' back, and 26' high in River Park and Riverwood Hills Developments. Discussion on pros and cons on having the lights in the cul-de-sacs; installing. City Engineer Joe Palen will review all development agreements to make sure location of the street lights in the developments. Development agreements could be amended if the City wants lighting on the streets when a trail intersects it. Request to put lights down at River Park for safety, with the only cost to the City being the monthly charges.

V. MEET THE CANDIDATES, Sponsored by Monica Michenfelder

Mayor Joy Bertsinger checked with the City Attorney to make sure it was ok to do it, but it should be a Council directed request. So, if Council wants to proceed, then they need to make a motion (however, they cannot because there are 3 people on Council running for offices). It was decided that candidates information should be turned in to Monica Michenfelder, but if it comes in to City Hall it should be in a sealed envelope with a signature across it. City Clerk Cheryl Nymann will contact the other two candidates with the information.

IV. ADJOURNMENT

Mayor Joy Bertsinger motioned to adjourn at 10:05PM, Councilor Scott Keigley second; all in favor, motion carried.

Respectfully Submitted:

Joy Bertsinger, Mayor

Cheryl Nymann, City Clerk / Treasurer