

City of Oronoco
Regular Council Meeting Agenda
December 18, 2006
7:00pm

I. CALL TO ORDER

Mayor Joy Bertsinger called the meeting to order at 7:03 PM.

II. ROLL CALL: Mayor Joy Bertsinger, Councilor Scott Keigley, Councilor, Kevin McDermott, Councilor Jackie Hall, Councilor Tom Novak, Clerk Cheryl Nymann, Attorney Tom Canan, Engineer Joe Palen, and members of the community.

III. APPROVAL OF AGENDA

ADDITIONS: VIII. H. Council Salaries

V. F. 5. Sign for Steeple Chase

V. F. 6. John Hoxmeier Resignation from P & Z

XII. B. Parks Special Funds Negative Balance

Mayor Joy Bertsinger motioned to approve the agenda with additions, Councilor Jackie Hall second; all in favor, motion carried.

V. CITY DEPARTMENT & COMMITTEE REPORTS

A. OCSO ~ Sgt. Tom Claymon

No Report

B. FIRE DEPARTMENT ~ John Stolp, Fire Chief

1. Runs: 0

2. Fire State Aid received \$8,492.00

Fire State Aid came in. **Mayor Joy Bertsinger motioned that \$8,492 be sent to the fire relief association, Councilor Kevin McDermott second; all in favor, motion carried.**

3. Money donated from DOGR is to be used at the discretion of the fire department.

4. Collection of charges on fire calls, city sends bill to insurance company. The way Mr. Stolp currently bills for calls was discussed (structure fires billed, fire alarms determined a community service).

5. Mutual Aid agreement that City Attorney Tom Canan worked on with Pine Island is still sitting in Pine Island. Mr. Stolp will contact Pat Pike, Pine Island Fire Chief and follow up.

6. Mayor Joy Bertsinger informed Mr. Stolp of an upcoming meeting with the City of Pine Island and he should be involved in that meeting.

C. 1st RESPONDERS ~ Jerry Lubahn

1. Runs: Total (3 Township, 0 City)

2. New defibrillators are not in service, they will have training on them first

3. Ordered 3 new radios.

D. EOC ~ Dennis Blanck, EOC Director

No Report

E. ORDINANCES & RESOLUTIONS*

1. Sign Ordinance-City Attorney Tom Canan

Mr. Canan attended a seminar put on by LMC Attorneys on this issue. Oronoco's sign ordinance is old and should be looked at. City Attorney Tom Canan provided a sample sign ordinance from LMC; and recommended that Council send it to Planning & Zoning. **Mayor Joy Bertsinger**

motioned to send sign ordinance on to Planning & Zoning, Councilor Jackie Hall second;
DISCUSSION: Question on where signs that have already been removed, or ones already there are affected by this. The City has previously discussed on West Frontage road to have directional signs for all City Businesses and questioned whether this ordinance would allow for such signs.
All in favor, motion carried.

2. Subdivision Ordinance Review-City Engineer Joe Palen
The subdivision ordinance does not effectively address a number of issues, and Mr. Palen recommends revisions with the P & Z Commission going through the process and develop a series of Ordinances that are updated and that would meet the city's needs. Preliminary Plat Checklist also enclosed (which is what the Ordinance states) also provided. The security agreement that City Engineer Joe Palen provided ensures payment of City's consultant fees. This agreement takes the City up to the point of the Development Agreement. Mayor Joy Bertsinger asked for a breakdown of the costs from the Engineer on this project. Mr. Palen said that about 90% of the work on it could be done by staff here. Agreement does not need to go through P & Z. Council determined that the Agreement will be sent to City Attorney Tom Canan. And, City Clerk Cheryl Nymann will work on the Ordinance and take before the P & Z Commission. This is a huge task for P & Z; Councilor Tom Novak suggested adding an individual to the staff that could do this specifically.

F. PLANNING & ZONING

1. Planning & Zoning Commission Report (see minutes)
Councilor Tom Novak stated the owner is well aware of what they need to do with the grading plan, and they were accepting of comments by P & Z and City Engineer. This was a sketch plan, and the City does not have a grading permit, therefore there is no 60 day rule that has begun.
2. Rucker Hog Feedlot Expansion EAW* (should have copy)
 - a. email; citizen response
 - b. Councilor Tom Novak stated the corner of the Rucker property is about a ½ mile from the recently annexed Wittlief property. Also, in the document, on page 5, 'nearby' is ambiguous, and public water supplies within 2 miles they checked no; and the River Park Well is 1 ½ miles within the corner of the EAW property. **Councilor Tom Novak motioned to have the City Attorney draw up a letter in response to the EAW, Mayor Joy Bertsinger second;**
DISCUSSION: The petitioners need to take a measurement of the corner of the Rucker property to River Park and to the newly annexed Wittlief property. Comments are received until January 3rd. Rucker property is dangerously close to City limits. There also needs to be clarification on location of the feedlots. If within ½ mile of city limits it may be null & void (property or location of feedlot). There are also parks and trails that should be commented on. **A friendly amendment by Councilor Scott Keigley; request an EIS for this project. All in favor, motion carried.**
3. Ordinance; to allow P&Z to call for a Public Hearing
This is for the chairman of P & Z chairman to call for a public hearing so the P & Z Commission doesn't have to wait for up to 30 days. This would be a change in Article 30 of the by laws. Revisions to the by laws can be done by a majority vote of the P & Z. **Mayor Joy Bertsinger motioned to have P & Z chairperson call public hearing for P & Z, Councilor Tom Novak second, all in favor, motion carried.** **DISCUSSION:** This is after an application is deemed as complete.
4. Summary of Applications
5. Sign for Steeple Chase
Concern is extra traffic coming through on County 18 to and from Steeplechase. MnDOT will not approve a small traffic generator sign, one is up by Mazeppa, but not in Oronoco because they need trail blazing signs which Olmsted County will not do. Our sign ordinance does not allow for this. Nathan Neitzell will allow him to put a sign up on the south east portion of his property. Request that Council consider this. Points of discussion
 - City Attorney Tom Canan restated that the City Ordinance does not allow for this type of sign.
 - A variance is not a correct way to handle this.

- City needs to define the boundaries of the vacated street, (DNR won't pay for survey of the area). City Clerk Cheryl Nymann will research the dimensions on the road. When Grace Lutheran Church narrowed street put in elevator, they had to narrow the street.
 - City needs to authorize the Parks Department to work with the DNR on an agreement. **Mayor Joy Bertsinger motioned to authorize Parks Committee to work with DNR on the agreement and have the completed document be brought back to the Council, Councilor Kevin McDermott second; all in favor, motion carried.**
3. Planting Date for Riverwood Hills Parks Trees: April 28, 2007
Purchased 90 trees with the grant money from People's Cooperative, oak, linden, and maple, and are a minimum of 5' tall.
 4. River Park Update: The Gate has been installed, and very close to completing the shelter. Road will be paved next year. Rough in trail between CW II and connection to River Park have had some difficulties and are working with the developer on this.
 5. Auditor's e-mail comments
River Park Subdivision equipment did not receive the 3 bids; next time, the proper amount of bids need to be taken, per the auditor.

I. STREETS & ROADS

1. Riverwood Hills Roads

All lights in RWH I, II, III, and IV are in and heads are on, but they will not be turned on until they get paid from Dan Fitzpatrick. Warranty on water main break (patch placed pretty late in the year) received in form of a letter from Mr. Fitzpatrick. **Councilor Tom Novak motioned to accept RWH I roads (Shady Oak LN SW, Riverwood Dr SW, Riverwood LN SW), contingent on patch warranty, and payment is made to People's Co-Op., Councilor Jackie Hall second; DISCUSSION:** City Clerk Cheryl Nymann will send a letter to Mr. Fitzpatrick. City Clerk Cheryl Nymann will notify all parties involved once the payment has been made. **All in favor, motion carried.**

2. John Stolp will move the barricades back on 5th Road NW.

J. WATER & SEWER

No Report

K. COMMUNITY CENTER

No Report

L. DOWNTOWN ORONOCO GOLD RUSH DAYS

1. No meeting this month.
2. Requesting late filing fee abatement (he did not get the letter). Number on IRS form was incorrect. No decision has been made because they were backed up.
3. Want to get a more business type checkbook.

M. HIGHWAY 52

Letter to Township on lights, City Clerk Cheryl Nymann will look at.

VI. PUBLIC FORUM

A. Rosemary VanHouten, PI Area Home Services

Thank DOGR for the generous donation for PI Area Home Services and would be using it for Meals on Wheels; and they are looking for a board member from the Oronoco Area. (City Clerk Cheryl Nymann will put in the next newsletter)

B. Brian Breider

Dan has 2 more building permits. Did City get paid in full? (Yes they did).

- What type of precedence will this set? Could it be a seasonal sign (until sign ordinance reviewed)?
- John Stolp stated that their church is also trying to put up a sign on MN Ave, and the county won't allow it.
- Brian Breider also stated that the sign also needs to be on the property.
- What if this was to be done on a trial basis?
- Steeple Chase is not in the City limits.
- Another option is to modify the sign ordinance to permit for this.

City Clerk Cheryl Nymann will send a letter to Mike Sheehan because of the construction and significant traffic is being diverted into downtown area, and it's not marked out clearly, the county should reconsider placing of a trailblazing sign. Steeplechase will always be there in relation to Oronoco.

- 6. John Hoxmeier Resignation
- 7. Brian Breider Resignation

2 openings are available for Planning & Zoning.

City Clerk Cheryl Nymann will post to the City's web site, and contact previous applicants.

G. LAKE SHADY ~ Katie Dudley, Lake Shady Committee Chair

1. Lake Shady Boat Access

Lake Shady Committee is asking Council to send a letter to Olmsted County requesting the County to do repairs to the boat ramp at Allis Park explaining what the Committee would like to see done. They've researched this and would like Council's support on this. The DNR, in the Spring/Summer, next year wants to build a canoe landing off 1st Street SE. Councilor Kevin McDermott, City Clerk Cheryl Nymann will work on this. **Mayor Joy Bertsinger motioned to have City Clerk Cheryl Nymann work with Councilor Kevin McDermott to draft a letter to Judy Ohly, and CC'd to Mike Cousino, Jim Foote, and Joel Wagar a letter of support for repair of the boat landing at Allis Park., Councilor Scott Keigley second; DISCUSSION: City Attorney Tom Canan make sure liability is pointed out; all in favor, motion carried.**

2. E-mail

Requesting to put out RFP's to engineering firms to take a look at Lake Shady and give a rough estimate on costs looking at different scenarios for Lake Shady. City Engineer Joe Palen recommended that the City should look for grant money to fund this type of a study first. Bonestroo volunteered to help look for these types of grants at no cost. City Attorney Tom Canan suggested keeping the County in the loop on this as well. This will be deferred to January Council Meeting.

Short break at 8:30PM

Reconvened at 8:35PM

H. PARKS & TRAILS ~ Adam Brase, Parks & Trails Committee Chair

1. Grant Submittal

- one of
- ‡‡ There are a number of grants available (transportation enhancement grant being them).
- ‡‡ Deadline for submission is February 2nd.
- ‡‡ Discussed restrictions on the grant (minimum project cost of \$250,000-1million, needed (Olmsted County {they would agree to sponsor application, and County engineer needs to sign off on it}).
- ‡‡ This would need to get started quickly.
- ‡‡ Big part of it is the Comprehensive trail plan.
- ‡‡ Grant is very competitive.
- ‡‡ This is offered every other year.

2. Canoe Landing:

It's taken a year and half working with the DNR. Homeowners of adjacent property owners are supportive of the concept. Looking at July 1 date for install.

VII. UNFINISHED BUSINESS

- A. Pine Island Discussion-Councilor Tom Novak
Councilor Tom Novak spoke to Abraham Algadi, Pine Island City Administrator and agreed to open discussions between the two communities on Elk Run (looking at late January/early February meeting). This may be the opportunity to combine with Pine Island and Tower Investments to get City infrastructure in. This Development is closer to the City of Oronoco than Pine Island. Councilor Tom Novak is requesting to set this meeting up with Pine Island, and he will set it up with Mr. Algadi.
Unanimous agreement to set the meeting up. This would be an informational meeting, and City Attorney Tom Canan wouldn't need to attend this.
- B. New Council Orientation for Brian Breider, Scott Keigley & Experience Officials for Jackie Hall, Kevin McDermott.
- C. Mtg. with Pine Island City Council*
Discussed in VII. A.
- D. Capital Improvement Plan
Pick a couple of dates for Mr. Bubany. Get together with new Council in January.
- E. Budget – motion to approve 2007 budget
 - 1. Mower gas: change to shop gas
Brought up at the last Parks Meeting.

VIII. NEW BUSINESS

- A. Letter from Pam Wilson, Pine Island Bank
Mr. Jim Mack, President PI Bank, and Ms. Pam Wilson, Senior VP of PI Bank were present and offered services to the City of Oronoco. Last 3 years they've worked hard on modernizing their services. The first of the year, Council determines what their official depository is. Ms. Wilson and City Clerk Cheryl Nymann set up a meeting, and discussed the accounts. Thanked for consideration given. Question arose if they will be having a remote location in Oronoco? It has been discussed previously. Would like to begin with an ATM in this area first.
- B. Land Use Policy, Process, and Politics* (Training Opportunity for Council & P & Z)
City Clerk Cheryl Nymann will discuss with P & Z Commission the opportunity for the LMC to come down and do a training with the Commission.
- C. Prosecution Services Agreement with Olmsted County Attorney
City Attorney Tom Canan reviewed. **Mayor Joy Bertsinger motioned to approve, Councilor Scott Keigley second; all in favor, motion carried.**
- D. Closed Session: Oronoco Liquor Store 12-11-2001
City Attorney Tom Canan's opinion that there was pending litigation being discussed in those minutes. The litigation is not threatened or pending now, therefore cannot be discussed in closed session. Mayor Joy Bertsinger gave background information. At that time, it was up to Council to pursue this, and no one wanted to pursue it. Mayor Joy Bertsinger asked anyone on Council if this should be pursued any further because it was brought up again. Councilor Jackie Hall doesn't think anything should be done with it.
- E. Elk Run
- F. 1-24-2007, Zumbro Watershed request parking on city lots
Take a bus up to the Cities, and leave the cars here.
- G. January & February Council Meetings – set dates
Councilor Scott Keigley motioned to have First meeting date is January 3rd at 7PM and regular Council meeting will be January 17th at 7PM, Councilor Jackie Hall second; all in favor, motion carried. DOGR is also on these nights.
- H. Council Salaries
Noted what Council turned in. A possible 4 extra meetings per month.

IX. PETITIONS, REQUESTS, & COMMUNICATIONS

City Attorney Tom Canan reported that he has had no response from Milestone. City Clerk Cheryl Nymann will put on the January agenda.

F. 12-7-2006 Special City Council Meeting Minutes

Mayor Joy Bertsinger motioned to approve, Councilor Kevin McDermott second; all in favor, motion carried.

XI. BUILDING PERMITS*

- | | | |
|----------------------|-------------------------|----------|
| A. Jamie Fahrendholz | 1140 Istas LN SW | New Home |
| B. Jamie Fahrendholz | 220 Shady Ridge Lane SW | New Home |

Mayor Joy Bertsinger motioned to approve, Councilor Jackie Hall second; all in favor, motion carried.

XII. FINANCIALS*

- A. Account Summary, Transaction by Detail, Budget, Unpaid Bills, Accounts Receivable

Mayor Joy Bertsinger motioned to approve, Councilor Jackie Hall second; all in favor, motion carried.

- B. Transfers: \$2,542.77 from General Fund to WAC SAC per auditor Fitzpatrick payment
\$4,291.42 from General Fund to Const. Debt Service per auditor

Mayor Joy Bertsinger motioned approval of the above transfers, Councilor Kevin McDermott second; all in favor, motion carried.

Parks Special Funds has a negative balance

Mayor Joy Bertsinger motioned to transfer remainder of capital outlay playground equipment budget into special funds budget, Councilor Kevin McDermott second; all in favor, motion carried.

- C. Special Funds Payments: None

D. FYI: 2nd Half Property Taxes received \$124,958.63

E. FYI: 3rd Quarter City Share of Profitable Gambling received \$412.91*

OTHER BUSINESS:

MJK Motors, grading area north of the trailer park. Discussion topics:

- o Mark Kuehn owns all of that property.
- o Nothing has been brought into the City Hall.
- o Does P & Z need to look at this?
- o The City doesn't require a grading permit.
- o Discussion on the possibilities and plans on this site.
- o Mr. Kuehn should be present for this discussion.
- o Does B2 language include a grading plan requirement? C

Councilor Tom Novak will research this with City Attorney Tom Canan and City Engineer Joe Palen and bring it back to Council.

CLOSED MEETING MINUTES: Went into closed session at 10:10 pm.

Reopened at 10:14pm

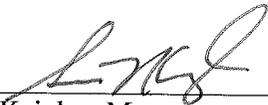
Discussed minutes of the closed council minutes and decided there would be no changes.

Mayor Joy Bertsinger motioned to approve the 11-20-2006 Closed Council Meeting Minutes, Councilor Scott Keigley second; all in favor, motion carried.

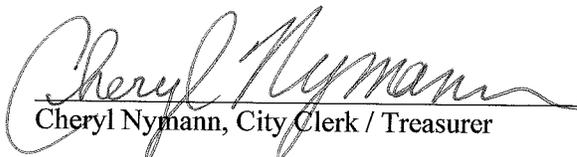
XII. ADJOURNMENT

Mayor Joy Bertsinger motioned to adjourn Councilor Jackie Hall second all in favor, motion carried.

Respectfully Submitted:



Scott Keigley, Mayor



Cheryl Nymann, City Clerk / Treasurer