Regular City Council
Meeting Minutes
Tuesday, February 21, 2006
7:00PM

I. CALL TO ORDER

Mayor Joy Bertsinger called the meting to order at 7:04 pm.

II. ROLL CALL

Present: Joy Bertsinger, Kevin McDermott, Tom Novak, Tom Canan, Sandy Jessen, Jackie Hall arrived at 7:07, Absent: Scott Keigley, Clerk Nymann

III. APPROVAL OF AGENDA

Bertsinger motioned to approve the agenda with the additions; McDermott second, All in Favor, motion carried.

INTRODUCTION OF HWY. 52 CONSTRUCTION PUBLICIST KATE BARTLET
Introduction of Jai Kalsy (MnDOT) and Kate Bartelt (LHS (Lunde, Hoffman, Schaefer)) her contact number is 1-866-499-9052. There will be an Open House at the Community center on March 13, 2006 from 5:00 – 7:30 pm. Safety is key. Want a Resolution to close 59th Ave for 7 – 10 days in mid to late May. Notices will be sent, and it will allow the corridor to be safer. LHS was formed for the MnDOT project, Doyle Hanstad and Dave Rossman from LHS will be at the Environmental meeting on March 2nd . They are willing to meet with any group on the Oronoco Project. The web site is currently under development specific to the Oronoco Project. For contact information now go to www.mndot.gov.

G. CITY DEPARTMENT & COMMITTEE REPORTS

A. Olmsted County Sheriff's Department ~ Sgt. Darnell

Sgt Darnell had nothing to report.

B. Fire Department ~ John Stolp

1. Pick Up Truck Has Been Ordered
Fire Department does not have all the information on the extras for the truck in yet and will report next month.
2. Letter Sent to Jech & Fitzpatrick on Fire Hydrants, no reply yet
3. Council approved pay increase ordinance on Feb. 8th
4. Neil Vermeersch, Application for Fire Dept.
Discussion: Neil has a previous injury and would only be driving the truck, he has lifting restrictions of 50 lbs. Concerns were if there was an accident would his injuries be more severe. Neil said he would go in to save someone if needed, John Stolp said there's enough people that he didn't see that happening. The concern of the city is the liability. The Fire Dept needs a driver. Worker's comp.

should be consulted. **Bertsinger motioned to table until we hear from worker's comp., Hall second; McDermott if information receive is OK , motion to accept,** Canan, with no additional conditions, sign a form with those restrictions. **Bertsinger decline friendly amendment, All in favor, Bertsinger, Novak, Hall, Nayes; McDermott.**

C. 1st Responders ~Gwen Holt

1. Calls for January

6 calls, 4 in township, 2 in the city

2. Council approved pay increase ordinance on Feb. 8th

Gwen Holt will talk to Cheryl to update the Ordinance with the pay increase.

Gwen Holt will try to arrange to make the weekly Leadership Committee meetings with MnDOT.

Gwen will submit a $4500 bill to Oronoco City Hall to go to the Township for the annual contract. **Bertsinger motioned to bill Oronoco Township $4500 for the annual contract, McDermott second; All in favor, motion carried.**

D. **EOC**

1. EOC Handbook ~ WIP, not completed yet

Clerk's Office will continue working on the handbook and complete ASAP

E. **Planning & Zoning** ~ Paul Pendergrass

1. Bennett Rezone*

Canan read the Ordinance, and a combined store and residence can be done as B1. Novak said that P & Z needs to work on the Ordinances. That property would benefit from being B1, more visible, more traffic, and properties surrounding are zoned B1, and it has good access. **Bertsinger motioned to approve zoning from R1 to B1, Novak second; All in Favor, motion carried.**

2. Summary of Applications

3. P & Z Annual Report

Discussion: It was unclear if the actions taken were council action or P&Z and council questioned the Jech Conditional Use. Clerk will check on action and bring back to council for approval. Asked that P & Z update the Summary and bring back in March for approval. Council would like clarification of P & Z and City Council Public Hearings. Canan brought up the 60 day rule that need to receive, act, and write finding of fact in 60 days, can still extend but will almost always have to extend. It will be deemed approved if all three are not done in 60 days. Bertsinger, must be sure on issues, which goes to P&Z and which to City Council. Recommend come back with a plan with a new requirement, a form letter for approval / denial listing finding of facts. There is an environmental training meeting on March 2, 2006 at 7:00 p.m. P&Z will have many things to present to council (changes), and it was suggested that a special meeting be called for that.

FYI: Novak let council know that the O.A.C.C. (Oronoco Architectural Control Committee) may have the guidelines for B1, B2, R2, ready for the next meeting. They are simple yet strict. Canan said that the O.A.C.C. does not legally exist. That changes need to go through P & Z and then City Council, Novak wants P&Z to look at them at the March 8th Public Hearing.

4. PUBLIC HEARINGS:

a) Whittington Acres Preliminary Plat March 8th @ 6:30PM
b) Paul Pendergrass Zone Change Request March 8th @ 6:45PM
Pendergrass wishes to rezone back from B1 to R1.
c) Ordinances ~ Creating 2006-01 and 2006-03 and amending 2006-04 & 2006-05Will go before P & Z on March 8, 2006 at 6:30 pm

F. Parks & Trails

1. Council approved Ordinance 230.00 (Park Regulations) on Feb. 8th
Parks meeting was canceled in February due to Valentine's Day
Discussion: Park Maintenance; keep track of hours for mowing, see if its feasible to hire, looking at softball at the ball diamond in the spring, possibly have an adopt a park, look for more ideas, add a port - a - potty
2. Softball logistics*

G. Streets & Roads

1. 5th St SW*
Larry and John Stolp measured the road it's 12 feet wide. Discussion: How far off the road are the utilities, may need some culverts, recommend widening on the south side, probably doesn't need to be 66 feet wide, just wide enough for two vehicles to pass. Ready for and engineer or Surveyor? Should talk to owners and see what they are willing to do, compensation or giving it to the city.
Recommend: McDermott, Keigley, L. Stolp, J. Stolp, talk to owners on the south side and the clerk's office will find that information. Discussion: Resurfacing MN Ave along with 52 project, street needs overlay, talk to Sheehan about it.
2. Set Public Hearing Date for Alley Vacation Request from Justin Bouwkamp
Council requests a map of the location of the property. **Bertsinger motioned March 8th at 6:00 pm for the request for vacation from Justin Bouwkamp, McDermott second; All in favor, motion carried**
3. Private Drives Snowplowing ~ Steve Farrell
Discussion of taking over the private drives: Questions of whether Fitzpatrick still owns the road bed and how much it would cost to deed over the affected lots (possibly $50 per lot). Stated that all the homeowners need to be in agreement with deeding the roads over to the city. Plowing would include the cul-de-sac and snow would not be hauled out, would need easement, some mailboxes and trees would need to be moved so they would not be hit by the plows. Farrell will present to homeowners and then will put request on the Agenda. Clerk will resend letter to Mr. Farrell regarding this issue.

H. Community Center

1. Shop Update…Demo completed, bay areas WIP
2. Electrical Bids
Waiting on kitchen and council room
3. Sound System Bids
Not all bids were in yet, two in, expensive and hard to tell if bids are the same, request comparison bids on same equipment.
4. Projector~ Novak
Discussion: Novak said that E-Bay would be less expensive than Best Buy, which costs $1200 - $1500, would be about half that on E-Bay. **Novak motioned to spend $600 from Building a Sense of Place for a projector, Bertsinger**

second; Discussion: projector will be used for presentations, here or where there is a white wall it would be useful. **All in Favor, motion carried.**

I. Downtown Oronoco Gold Rush

1. Ordinance 2006-02 regulating certain activities within the City during DOGR
McDermott motioned to throw out the ordinance, Bertsinger second;
Discussion: Concern that people are profiting from parking cars, would like to see more help from residents, respecting Gold Rush rules, work on set up, and the concern of safety. **All in favor, ayes, motion carried.**

J. Lake Shady

The Environmental Meeting was rescheduled to March 2, 2006 @ 7:00 pm.

K. Highway 52

Meeting is every Tuesday at 11:00 am, Bertsinger can no longer attend unless her work schedule changes, Cheryl will attend the meetings, Novak will fill in, and McDermott will attend depending on the agenda.

1. Meeting W/MnDOT.
   a) Speed Limit Reduction to 55mph on Hwy. 52 during construction
   b) MN Avenue to remain open until interchange at 12/112 complete
   c) Hwy. 52 committee re-established~ Meeting on 2/27 at 7:00PM

Will now be called the Leadership Committee, meet monthly, and includes the City Council, Fire Department, First Responders, and Business owners.

2. Trees from Construction Company

There have been thirty calls from residents wanting the wood for firewood. LHS doesn't want the liability, residents are not allowed to enter the property, it is trespassing. If the city of Oronoco won't hall the wood it will be chipped or burned. MnDOT has offered the wood to the local entity which is the city of Oronoco. The city is also concerned with the liability and the cost to the city, but that it would be a perk to residents, or have the city cut as much as it can and sell it or offer free wood chip. LHS will haul one mile, but need contract agreement accepting liability. **Bertsinger motion to deny accepting the wood, Hall second; need** to contact Kate within two weeks, she will send contact list of residents interested, **All in favor, ayes, motion carried.**

3. Resolution 06-04 Concerning Road Closure

Bertsinger motion to approve Resolution 06-04 to close 59th Ave, McDermott second; Voice vote, all in favor, motion carried.

4. Utility Casings

L. Water & Sewer

1. Email from Doug Malchow

Discussion: Doing a survey based on income and need with two questions. Who are you and how much is your income form all sources? Questioned whether should do another survey and do we need to do another survey. Should get more information out first.

V. PUBLIC FORUM

Dave Kaempfer approached council about being able to get a goose, council discussed following the ordinance requirements, and getting a permit.

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~**COUNCILBREAK**~~~~~~~~~~~~~~~~~~~~~~~~~

VI. OLD BUSINESS

A. COLA

tabled until next month

B. Clean Up Day

May 6, 2006, 7:30 am

a) Arlen Unger unavailable

Clerk's office will check with other companies, 2 trailers for iron

b) Scientific Recycling confirmed

c) Onyx confirmed

C. Dogs – *Nothing new to report on this*

D. Garbage Rates Increase

need to watch the bills

E. PI Telephone Rate Increase

VII. NEW BUSINESS

A. SMLM Meeting here March – Permit Needed

Discussion: The need for a permit for serving alcohol for one day at the community center was discussed and determined that there is no need for a permit or to change the contract. Tilly's is the caterer and should provide liability insurance.

B. Capital Improvement Plan

Discussion: Bertsinger had spoken with Tom Cummings and he felt the city could put the CIP together. Council talked of 10 -15 -20 year plan, the west side streets & roads, having it ready for the September budget, or waiting for the Hwy 52 project to be complete.

C. Employee Step Program

Discussion: Bertsinger had gotten information on the step program and other cities say it works well. Cost is $1261.44 - $990, a one time set up. It was discussed that the city already does this. By using the step program is causes less problems, that if the bar is set too low will still run into the same thing. Decided not to put to a vote and Bertsinger will notify Mr. Ness of the decision.

D. Utility Permit from Zumbrota Telephone Company

Discussion: Council was wondering why it was Zumbrota and not Pine Island and if it would actually be on township land. Whether it was to move utilities and when. (March – August) Will get the information back by the March 8th meeting. Canan said the contract covered the two areas that he had concerns with, that they will not leave big holes, and will indemnify and hold the city harmless.

E. Board of Appeal & Equalization mtg. on April 18, 2006, 7PM – 7:30PM. **Bertsinger motioned to approve 18th day of April, 2006 for Board of Review Meeting, Novak second; all in favor motion carried.**

VIII. ORDINANCES & RESOLUTIONS

A. Ordinance 2006-03 regulating construction & maintenance of septic systems within the city.

This has been sent to P & Z for a Public Hearing
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B. Ordinance 2006-04 concerning enforcement of the zoning ordinance & penalties
This has been sent to P & Z for a Public Hearing
C. Ordinance 2006-05 regarding fee schedule
This has been sent to P & Z for a Public Hearing
E. Ordinance 2006-01 addition to 17.02 & 17.03 of P & Z Ordinance
This has been sent to P & Z for a Public Hearing

IX. PETITIONS, REQUESTS, COMMUNICATIONS

A. Letter from MPCA with Deadlines for Wastewater State Revolving Fund
B. Letter from PFA on Requests for placement on the 2007 intended Use Plan
C. Clerks Institute July 10-14, 2006 (Year 2 of 3 for Clerk Nymann)
$410 fee, $400 for the room. **Hall motioned to send Cheryl July 10 – 14 to the Clerk's institute, McDermott second; All in favor, motion carried.**
D. Letter from resident concern dog complaint
E. MCFOA Executive Board – Letter of support
Bertsinger motioned to approve 18th day of April 2006 Board of Review, Novak second; all in favor, motion carried.
F. FYI: Communication on 800 MHz radio expenses
G. MnDOT Roundabouts Conference

X. CONSENT AGENDA

A. MEETING MINUTES
Discussion: Bertsinger voiced her concern that the city council meetings have become lengthy and so have the minutes. Council talked about condensing the minutes to more of a summary and not he said/ she said, or verbatim. Also that some issues warrant more detail such as zoning issues. It was also discussed that the audio tapes are only required to save for one year. **Bertsinger motioned that minutes are to be more summary than verbatim, Novak second; all in favor, motion carried.**

1. 1-12-06 Special City Council Meeting Minutes
Bertsinger motioned to approve the 1-12-2006 meeting minutes, Hall second; All in favor, motion carried.
2. 1-17-06 Regular City Council Meeting Minutes
Changes 1-17-2006 page 7, B on COLA deleted (all the time), page 10, K, 50 cents monthly is over and above 5%. **Bertsinger motioned to approve 1-17-2006 minutes with those changes, Hall second; All in favor, motion carried.**
3. 2-1-06 Special City Council Meeting Minutes
Bertsinger motioned to not approve the Special City Council Minutes, but submitted in a more summarized version, Novak second; All in favor, motion carried.
4. 2-1-06 Public Hearings on Ordinance Changes/Additions
Bertsinger motioned to approve, McDermott second; All in favor, motion carried.
5. 2-16-06 Special City Council Meeting w/Engineer

Bertsinger motioned to approve 2-16-2006 meeting minutes given by both Bertsinger and Novak, with change due to weather, McDermott second; All in favor, motion carried.

B. BUILDING PERMITS:

1. Dale Ragan 1110 Minnesota Avenue S Temp. Sign Placement

Bertsinger motioned to approve the Ragan permit, McDermott second; All in favor, motion carried.

C. FINANCIALS

1. Paid/Unpaid Bills*
2. Financial Statements (Budget, 4M, Special Funds)*

Bertsinger motioned to approve financials 1 & 2, Hall second; all in favor motion carried.

X. ADJOURNMENT

Bertsinger motioned to adjourn at 10:27 pm, Hall second; All in favor motion carried.

Respectfully Submitted:

Joy Bertsinger, Mayor

Sandy Jessen, Assistant Clerk