City of Oronoco
Regular City Council
Meeting Minutes
Feb. 24, 2005, 7:15PM

I. CALL TO ORDER

The meeting was called to order by Mayor Bertsinger at 7:10PM.

II. ROLL CALL

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

Absent: Scott Keigley

III. APPROVAL OF AGENDA

Additions:
- V. A. Replace old Expense & Revenue Sheets w/new
- VI. C. Northland Builders
- VII. F. 2. Review of RW Lane SW & Shady Oak LN SW
  - I. 1. Letter from P & Z
  - 2. Letter from P & Z
  - 3. Moen / Hall Zone Change
  - 5. PUD & PUD Evaluation
  - 10. Set Date for joint P/Z & CC Meeting
- X. A. Note from Tom Canan, and Table of Contents
- XII. F. Summary from Joy

Deletions: V. D. Beckley's Request

Bertsinger motioned to approve the agenda with above noted changes, Hall second; all in favor, motion carried.

IV. MEETING MINUTES

A. 1-19-05 Regular City Council Meeting Minutes

Bertsinger sent Clerk Nymann the changes, and have been made. Canan requested p. 3. B. 1. last line is restated to read: Canan stated that illegal activities that would be lease violations should be reported to OCSO. Hall requested that p. 6. J. should state 8 PM, and that before should be stricken. **Bertsinger motioned to approve the minutes with the changes, Hall second; all in favor, motion carried.**

V. FINANCES

A. Financial Reports (Disbursements, Budget, 4M Fund)* Replace old Exp & Rev w. new
Bertsinger motioned to approve, McDermott second; all in favor, motion carried.

B. Council Approval Report (Bills to be Paid)*
Fangman survey bill pulled to discuss. **Bertsinger motioned to approve council approval report minus Fangmans bill, Hall second; all in favor, motion carried.** Survey by Vince Fangman was for Stolp's Cove. The City needs quitclaim deeds from adjacent property owners for the road. In a letter from Vince, it indicated that some of the charges for his services could be billed to the property owners also. This can be discussed at the next meeting. **Bertsinger motioned to approve paying Vince Fangman's bill for $2,100, Hall second; all in favor, motion carried.**

C. Letter from State Auditor
It was a letter of praise from the State Auditor for the City's assistance in providing info for the audit to their office.

D. Beckley's request for an additional 10% restocking Charge (DELETED)

VI. BUILDING PERMITS

A. Jamie Fahrendholz 1060 Zumbro Hills LN SW New Home(RWH I)
Bertsinger motioned to approve, Novak second; DISCUSSION: This was approached wrong before moving dirt begun before a building permit was issued. Put on next agenda, fines for beginning work before permit is signed. **All in favor, motion carried.**

B. Kevin Henry Vankirk property Business
Jonathan Pahl from Zumbro Valley Construction out of Pine Island was present to discuss 4 H properties vision of this property. The permit being applied for now is for cold storage with an office. Eventually he would like to subdivide this parcel. MnDOT not affected by this permit and location of building. They would like to plat it in the future. Traffic concerns coming out onto County 18 are being addressed at the County with Jonathan. Also, there is no address for this property. **Bertsinger motioned to approve, McDermott second; all in favor, motion carried.**

C. Northland Builders Minnesota Avenue New Business

VII. CITY DEPARTMENT & COMMITTEE REPORTS

A. Personnel Committee
1. Cheryl Nymann – 2 year anniversary March 10th
Need to set a date with Scott & Joy to do Cheryl's review

B. Olmsted County Sheriff's Office
1. January Reports
2. Paper Reduction ~Keep reports on file in Clerk's Office??
Olmsted County Sheriff's Office Monthly Reports will be in a binder in the office for review at any time.

C. Fire Department ~ John Stolp
1. Auto Aid Agreement with Pine Island. John reported that it was revised with Pat Pike (Pine Island Fire Chief) and Tom Canan looked at it. City Hall will have a copy of the interim draft on file. Pine Island will have their attorney look at now.
2. Quote on Custom Fire Equip. The quote for foam is $10,515and Factory Recertify is $350. John figures he has $8,000 from DOGR and $4,000 from Fire Relief Assoc. **Bertsinger motioned to take the $8,000 from the Fire Department Special Funds to pay for the foam**

equipment, McDermott second; all in favor, motion carried. John said the turnout gear racks were $3,616.74 and they would be short $2,131.74. **Bertsinger motioned to take up to $2,300 out of Fire Department Equipment Special Fund to purchase the turnout gear racks, McDermott second; all in favor, motion carried.**

3. Truck Breakdown. The throttle cable broke and froze up. The air dryer was not hooked up. Clerk's office will fax the bill to Deep South Trucking, to see if they will participate in the cost of repairs as it should have been connected prior to the City receiving the truck.
4. Riverland Community College will be having classes in April here at Oronoco Fire Station for new members.
5. John suggested keeping Pat Pike informed on meetings and road closures during the Hwy. 52 project because they respond to calls in this area also.

D. 1st Responders ~ Gwen Holt
Gwen reported that there were 9 calls in January. Township has been invoiced for $4,000.

E. EOC ~ Dennis Blanck
Not Present

F. Streets & Roads
1. Inspection of Riverwood Drive SW – Steve Voigt
Reviewed the letter and Clerk Nymann was instructed to listen to the tape from the meeting when Council accepted the road. Council thought that it was approved with approval of the City engineer.
2. Review of RW Lane SW & Shady Oak Lane SW
Clerk Nymann will send a letter to the residents in that area summarizing Steve's points.

G. Parks Committee – Adam Brase
1. Update Letter
Adam said they will be having regular meeting on 2nd Tuesday of the month. Bertsinger stated that Lance Sorenson wants to on the committee. There are other people that will help with projects, but don't want to be on the committee. Adam stated the goals of the committee were to take an inventory, do a need assessment, and look at funding (grants, Park dedication, etc).

H. Community Center
1. Committee Meeting Update
The Committee met 2/11 to discuss the needs of the CC. Another meeting is scheduled for 3/11. The committee will bring it's assessment of the CC to Council once it is put together.
2. New Quote on Kitchen
This will be coming in because the counter top locations were changed.

I. Planning & Zoning
1. Brandon Radke Zone Change* Letter from P & Z
Planning & Zonings letter recommended approval. **Bertsinger motioned to rezone Brandon Radkes property to R-1, McDermott second; all in favor, motion carried.**
DISCUSSION: The findings are that there are residential zoned areas around, it's not directly along the NE frontage road which is intended for business uses. **Bertsinger motioned to approve the above findings, Hall second; all in favor, motion carried.**
2. James Bennett Zone Change - 15 MN Ave. N Letter from P & Z
P & Z does not want to rezone. They are recommending a 5 year zoning variance with stipulations. Canan stated that a variance is not intended for this type of issue. When the

property was purchased the owner thought it was multi-family. There may be a future historic value to this. Issues discussed included: Length of time it's been an apartment, whether or not it should be grandfathered in. **McDermott motioned to deny the rezoning request, Hall second DISCUSSION: Findings for denial are:** The property is already zoned R-1 and there are no adjoining land uses which are zoned R-2; There have been a number of calls to law enforcement alleging illegal activity involving the tenants currently occupying the property and there is concern this could continue if an R-2 use is approved in the future. The trend of land uses in the surrounding downtown are is not toward additional R-2 uses There is a lack of proof that it's been continuousR-2 use since adoption of zoning ordinance (It's also been used as a business). **All in favor, motion carried.** Clerk Nymann will send a letter for the owner to bring it into compliance.

3. Moen/Hall Zone Change

Planning & Zoning letter recommends approval. County and MnDOT are aware of this parcel. **Novak motioned to approve rezoning this property to B-2, McDermott second. DISCUSSION:** Findings include that this property fits in with the vision the City has, Northland Builders has designed an aesthetically pleasing building site. **Bertsinger motioned to approve the above findings, Hall second; all in favor, motion carried.** The sign permit has been tabled.

4. P & Z Committee Annual Report

Bertsinger thought the report looks great. It's a good reference back to the year 2004. . Items of discussion that need attention are junk cars, signs (need to be on property where business is), bus and current tags, van by old school house. Clerk Nymann will send a letter out on this last item and have the owner respond within 1 week before the next Council meeting.

5. Riverwood Hills EAW – Is it Complete?

Jeff Broberg was present and supplied copies of McGhie & Betts responses to questions/responses from Council, City Engineer, and City Attorney. They would like time to review their responses. Jeff said the comments went beyond what is required for publishing, but they answered them anyway. Steve Voigt stated that the City is the RGU and is responsible for preparing the EAW and that McGhie & Betts was preparing it for us, but we were the facilitator. **McDermott motioned to approve the EAW for publication contingent on Steve Voigt and Tom Canan's review of McGhie & Betts' replies, Hall second; all in favor, motion carried.** Novak questioned traffic on RWH Drive with construction; it was stated that this could be addressed in the EAW or in the plat review process.

6. Shoreland Ordinance PUD & PUD EVALUATION

P & Z is recommending Olmsted County Shoreland Ordinance with the addition of PUD, and Cumulative Impact Statement. Canan stated there is a slot in the County's Shoreland Ordinance where the PUD from the DNR can be inserted. The Shoreland Ordinance that Clerk Nymann found that the City adopted in 1984 is out of date. Voigt stated that with the PUD in place there's a lot more give and take. He also stated that if cumulative impact statement was to be in place, it needs consistent enforcement. Clerk Nymann will email Steve the PUD and PUD Worksheet.

7. River Oaks Preliminary Plat

River Oaks deadline is March 8th. (a second 60 day extension) After the Shoreland Ordinance is completed by the City, the DNR needs to approve it. **McDermott motioned for the 1st reading of Oronoco's Shoreland Ordinance (05-02) which is Olmsted County Shoreland Ordinance with revisions so it pertains to the City only, with insertion of the PUD and CIS contingent on approval from Tom Canan, Steve Voigt and the DNR, and repealing the 1984 City of Oronoco's Shoreland Ordinance as part of this process, Hall second; all in favor, motion carried.** In addition, there was a meeting with the DNR that

McDermott attended and Corey Hanson (DNR) didn't see any major problems with the easement that Jech's is proposing in the preliminary plat. Corey is waiting for the City to complete the Shoreland Ordinance. There would be public access all along the development along the shoreline. Developer will prepare worksheet and plans on PUD. Canan stated the worksheet should be submitted as a conditional use permit application. **Bertsinger motioned to table the River Oaks preliminary plat another 60 days and have a letter from Jech agreeing to the 60 day extension, Hall second; all in favor, motion carried.** Jeff Broberg stated that he will urge his client (Jech's) to extend another 60 days.

8. Comprehensive Plan ~ Community Profile*(Review for next Mtg.)
   Council and P & Z want to move this process along quickly, and scheduled a joint meeting for March 14th @ 6:30 PM.
9. Summary of Projects
10. Unofficial Land Use Plan ~ Tom Novak
    P & Z wants to adopt a new future LUP.
11. Set date for Joint P/Z & Council Meeting
    There will be a joint P&Z and CC meeting to discuss Comprehensive Plan and Land Use Plan on Monday, March 14, 2005 at 6:30PM.

J. Highway 52

1. Recap meeting w/ MnDOT on 2/15/05
   Clerk Nymann and Bertsinger attended meeting with Hwy. 52, and the City needs to answer some questions right away. This could be done at a joint meeting.
2. Appraisal for City Property (Ballfield)
   Attorney Canan has reviewed the appraisal, and discussion centered on the following topics: photos & maps of comparable property not included in the appraisal. Dollar figure per acre not accurate. Easements by VanKirks, and costs associated with that property. **McDermott motioned to have Canan send a letter with counteroffer, Hall second; all in favor, motion carried.**
3. Set Date for Joint Committee/Council Meeting
   Oronoco City Council and the Hwy. 52 Committee will have a joint meeting on Tuesday, March 1, 2005 at 5:30PM.

K. Downtown Oronoco Gold Rush

Carol Olson was honored for her dedicated service to DOGR.

L. Water / Sewer

1. **Workshop on March 1, 2005 7:00PM-8:30PM** on Small community wastewater treatment system operation, maintenance and alternatives sponsored by Southeast Minnesota Wastewater Initiative and the University of Minnesota Extension Service.

VIII. PUBLIC FORUM

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

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~COUNCIL BREAK~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
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IX. PETITIONS, REQUESTS, COMMUNICATIONS

A. MMCFOA Conference – St. Cloud *(Sandy has a conflict, so Cheryl will be going up, and attending the following Sessions: Legislative Impacts on Your City's Finances and Data privacy & Records Management in the Electronic Age)*

B. FYI: FEMA is in the process of updating the floodplain map.

C. FYI: Letter from SEE on Riverwood Drive SW Inspection (approved in Jan.)
Discussed earlier(Note approval contingent on developer's following engineer's recommendations.)

D. FYI: Letter from MPCA
Storage Tank Release Investigation at Oronoco Auto parts; Clerk Nymann will send a copy of this to Steve Jech.

X. ORDINANCES & RESOLUTIONS

A. Zoning Ordinances – Cheryl & Tom had a meeting on them to organize
Note from Tom Canan, and Table of Contents
Tom has taken the time to collect all of the planning and zoning ordinances. There were some Ordinances that weren't complete in electronic form, so he had Vicki type it in. Tom noted that this in as interim draft. Permanent numbering schemes can be assigned at a later date.

XI. OLD BUSINESS

A. Rich Williamson Shed . Originally, Rich put shed up, and then applied for a building permit for the shed. Rich was present was very apologetic and stated that the shed is 10X14 and it's on a gravel pad with hurricane anchors. Council was concerned because the permit was denied because it was in the 3rd St SE ROW, and the shed was still there (and a precedent could be set). Discussion centered on how much the shed was in the right of way. Once survey pins are uncovered by snow, the City wants Maintenance employee, Ward Field measure how much of it is in the ROW. Clerk Nymann also noted that the road is not where it should be; it veers off to the south.

XII. NEW BUSINESS

A. Oronoco Hazardous Waste Pick-Up will be May 4th from 4pm-7pm

B. Assessment Notice
April 12, 2005 from 7:00-7:30 has been set for meeting of the Board of Appeal and Equalization at City Hall.

C. Municipal Clerks Institute (3 year professional development program)
Clerk Nymann would like to begin this 3 year professional development program. She would like Council to consider it. She informed Council that she has applied for a grant to cover a portion or all of the first year. The grants will be awarded at the MCFOA conference (that she will be attending) in St. Cloud in March, and she will report back at the March meeting.

D. LMC Insurance Coverage Options
Clerk Nymann took care of this.

E. Set Date for City Wide Clean-Up
Looking at May 21st. Clerk Nymann will call the appropriate people to see if this date works with their schedules.

F. Board of Appeal & Equalization Meeting Attended by Joy Summary from Joy
Joy provided a summary of the Council's responsibilities and duties during the Board of Appeal & Equalization meetings. This will be discussed at a later date. The book is on file in the City Clerk's office.

XIII. ADJOURNMENT

Hall motioned to adjourn at 11:00PM, McDermott second; all in favor, motion carried.

Respectfully Submitted:

Joy Bertsinger, Mayor

Cheryl Nymann, Clerk/Treasurer