

**CITY OF ORONOCO  
REGULAR MEETING MINUTES  
March 8, 2004  
7:00 PM**

**1. CALL TO ORDER**

Mayor Bruce VanSickle called the meeting to order at 7:03PM.

**II. ROLL CALL**

Present: Bruce VanSickle, Joy Bertsinger, Scott Keigley, Dick Nelson, Jason Ottman, and Clerk Cheryl Nymann, and members of the Community.

Absent: City Attorney Tom Canan (Tom submitted an email to Cheryl with his comments)

**III. APPROVAL OF AGENDA (Additions/Deletions)**

1. V. F. change 'new' to 'different'
2. VII F. add 4. Animal Ordinance; add 5. Zoning Map
3. VII. F. 3. change 7:30 to read 6:30
4. VIII. change Wed. to Tue.
5. XI. add B. Council Meetings; add City Attorney

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

**IV. MEETING MINUTES**

- A. 2/9/04 Regular Council Meeting Minutes  
At the top of page 3 under Bertsinger's motion, **add breathing apparatus;** Page 4, 5. a. middle of paragraph should read "... mailing labels shouldn't be used **for other reasons....**"; Page 4, 6. on second line should add **Matt Brown to list of names;** Page 5, F.2. On 18<sup>th</sup> line down it should read '**the**' at the beginning; and page 7, G. should read "...respectful **of DOGR hours set up.**" Page 3, D.1. **change Mohen to Moen.**
- B. 2/26/04 Public Hearing for Vacating Kami Court
- C. 2/26/04 Public Hearing for Riverwood Hills III Final Plat
- D. 3/1/04 Special City Council Meeting

**VanSickle motioned to approve meeting minutes with above noted changes, Ottman second; DISCUSSION:** It was decided to have review of meeting minutes done before Council Meeting and submitted to Cheryl for changes to save time at Council Meetings. Then at the Council meeting Cheryl would compile the noted changes for Council approval. **All in favor, motion carried.**

**V. FINANCES**

- A. Acceptance of the Financial Reports\*  
Bertsinger questioned the large amount due to PERA, Clerk Nymann stated it was an error and that her and Tom Cummings worked on that; **Bertsinger motioned to approve, Ottman second; all in favor, motion carried.**

- B. Approval of Bills\*  
**VanSickle motioned to approve, Ottman second; all in favor, motion carried.**
- C. Addition to the Bills  
**There were no addition to the bills**
- D. Review General Ledger Chart of Accounts from new financial software (asyst)\*  
Clerk Nymann presented the new Chart of Accounts to give the Council an idea of how the new financial system would look. **Bertsinger motioned to approve, Nelson second; all in favor, motion carried.**
- E. Transfer \$3,000 from FD General Fund to FD Special New Rig Fund (in 2004 Budget)  
**VanSickle motioned to approve, Nelson second; all in favor, motion carried.**
- F. Transfer \$22,121.89 from Investment Fund to FD Special New Rig Fund for purchase of new Fire Department Tanker truck.  
Clerk Nymann presented the financial breakdown to purchase the different tanker for the fire department and that this was the amount needed from the investment fund. **VanSickle motioned to approve the transfer of \$22,121.89 from the Investment Fund to the Fire Department Special New Rig Fund for purchase of different Fire Department Tanker Truck, Bertsinger second; all in favor, motion carried.**

**VI. BUILDING PERMITS \***

- A. Alan Jordan. 1270 Valley View LN SW Finish Basement  
**VanSickle motioned to approve, Ottman second; all in favor, motion carried.**

**VII. REPORT OF OFFICES, BOARDS & COMMITTEES**

- A. Olmsted County Sheriff's Department
  - 1. January Reports  
**VanSickle motioned to approve January Reports from OCS, Ottman second; all in favor, motion carried.**
- B. Fire Department – John Stolp
  - 1. Fire Dept. Grant – Motion to use \$3,000 from FD Special Funds (Regular) for the 10% money the FD pays for the extrication equipment  
**VanSickle motioned to approve, Nelson second; all in favor, motion carried.**
- C. First Responders – Jerry Lubahn  
Nothing to report.
- D. Streets & Roads
  - 1. Contract with City Engineer for street improvements  
Canan wrote in an email that he was concerned that the contract doesn't cover surveying; Steve from SEE was present to state that after Council reviewed the contract they could

change the concerned items. **VanSickle motioned to have Clerk Nymann forward concerns on to SEE, Bertsinger second; all in favor, motion carried.**

2. Street Vacation Request Rownd (Kami Court)

VanSickle read the request out loud. **VanSickle motioned to vacate Kami Court.** Motion died for lack of second. It was stated that when the City vacated a street, Council had to look at the best interest of the City. Residents of 6<sup>th</sup> Lane were present and stated that the City is having a hard time maintaining (6<sup>th</sup> Lane) with the traffic it now has on it, and opening this would only put a burden on this street, as well as Center Street. It was stated that Kami Court was platted, but not developed, when Jasik's was annexed. And that there was always the possibility to have the road developed. With the newly annexed Whittington acres, concerns were raised about this subdivision using Kami Court and the high volume of traffic, and heavy machinery that would be using Kami Court. VanSickle stated that the residents (in 6<sup>th</sup> Lane) have been there for a lengthy amount of time and now the change of developing the road may happen. Clerk Nymann stated that the 60 day rule ends 3/26/04 and would need an extension if a decision was not made tonight, unless a special meeting was called. Doug Rownd stated that the costs incurred by the City would be substantial to get Kami Court street developed. **Bertsinger motioned to deny the request by Doug Rownd to vacate Kami Court on the basis that it would be premature until considerations of the Whittington Acres Subdivision are looked at, Nelson second; DISCUSSION:** VanSickle stated that he thinks it's a shame doing this to City residents; **Voting AYE: Bertsinger, Nelson, Ottman; NAYE: Keigley and VanSickle, motion carried.**

3. Maintenance Agreements with Olmsted County

**Nelson motioned to accept the maintenance agreements, Ottman second; all in favor, motion carried.**

4. Petition from Stolp's Cove Residents

Clerk Nymann read the petition from these residents to have the City of Oronoco take over 1st Place SW. **VanSickle motioned to accept petition, Ottman second; DISCUSSION:** There was a concern bringing in a street at such a narrow width; but that the Council was just accepting the petition, not acting on it. The City will need a legal opinion as to recording it. **All in favor, motion carried.** Mary Burnett and Nathan Brown, from 1<sup>st</sup> Place SW, stated that they appreciated the City's willingness to look at this. It was then asked what position 2<sup>nd</sup> Ave NW residents had (the road to Dick Nelson's house); and Nelson stated that he and Clerk Nymann were working on that. Nelson said there were two options: that residents along there could donate that rectangular parcel to City and put the street where its at now; or for the City to put it in where it belongs. Discussion continued about setting precedence and widening the road. Steve, from SEE, commented that when looking at taking in these private roads the infrastructure has to be up to standard, and that safety was also an issue. Emergency vehicles, and plowing are services that the City provides.

*Mayor Bruce VanSickle removed himself from Council ~ Jason Ottman is now Acting Mayor.*

5. Street Vacation request by Bruce VanSickle (7<sup>th</sup> St SE)

Dale and Corey Allen own property that front on 7<sup>th</sup> Street SE and stated that vacating this street would be of no benefit to the City. Clarification was presented that this was a 40'

street, platted, not yet developed. VanSickle stated that 6<sup>th</sup> St (another platted, not yet developed street, but 80' wide) would be able to serve every lot in that property. And that any street should be the correct width, and according to City Ordinances that would be 66'. It was stated that there were other streets in the City that weren't 66'. There was more discussion between VanSickle and the Allens. **Bertsinger motioned to deny the request by Bruce VanSickle to vacate 7<sup>th</sup> St SE on the basis that it would be of no benefit to the City, and if it was vacated, it would cut access to future development.** **DISCUSSION:** Clerk Nymann referred that the 60 day rule has already been extended and the 120 days would be over next Monday, and that Council would have to accept, deny, or call a special meeting to decide this issue otherwise the request is automatically approved. Discussion also included possible layout of housing there and that 7<sup>th</sup> St SE would be essential; and VanSickle stated that the City doesn't guarantee them to have a walkout. **Nelson second; Voting AYE: Bertsinger, Nelson, Ottman; voting NAYE: Keigley. Motion Carried.**

*A short recess was called at 8:15.*

*Mayor Bruce VanSickle did not return to Council Chambers.*

*Jason Ottman is Acting Mayor*

*Jason Ottman (Acting Mayor) reopened Council meeting at 8:30PM*

E. Community Center

Nelson stated that he and Clerk Nymann were working on the HAVA (Help Americans Vote Act) Grant to replace the front door and restroom doors. They are currently getting estimates for the front door because the casings and frames are too narrow. Also, a new cement slab will need to be poured and we may lose a stool in the men's bathroom to meet ADA requirements. Voting booths may also be included in the grant. A resolution is needed (for the grant application) which shows Council support of the Grant process. **Nelson motioned to accept Resolution 04-05 which indicates the Councils support for the application of the Grant from HAVA, Ottman second; all in favor, motion carried.**

F. Planning & Zoning

1. Official Mapping – Dave Pesch & Mike Sheehan

Dave Pesch reviewed the process which indicated that the agreement was developed over a number of meetings and included a summary of all Public meetings. And as part of the adoption of the official map all property owners in the area were invited to attend the meetings. Building permits which come into City Hall in this area need to work with the County. And a summary that the Official Map shows the reserving of right of ways.

**Keigley motioned to authorize the mayor to sign: Agreement – Trunk Highway 52 Oronoco to Pine Island Subarea Official Map Number 14, Nelson second; all in favor, motion carried.**

2. Letter fro SEE regarding RWH III (Final Plans Review)

Steve from SEE reviewed the letter in which Dan Z. had responded to, there were 18 items were reviewed and available at City Hall for viewing. Being noted in the minutes was that engineers agreed, and that City Hall was awaiting final approval via a letter from their City Attorney and City Engineer; and Clerk Nymann signed the Mylars that Dan Fitzpatrick brought with him.

3. Whittington Acres (Wittlief Property) Preliminary Plat Public Hearing is  
March 24<sup>th</sup> @ 6:30PM

4. Animal Ordinance

There was a concern of the enforcement of this ordinance, which includes guidelines for commercial boarders needing to be zoned correctly, and cleaning up of waste. Strike the last sentence on 2<sup>nd</sup> page. **Keigley motioned to accept and publish this animal ordinance, Ottman second; all in favor, motion carried.**

5. Official Oronoco Zoning Map

Nelson indicated that P & Z and Clerk Nymann were working on verifying information on the current official zoning map, and how the future zoning map will be looking. Copies of the map were available for Council members, and one is available at City Hall for public viewing. It was stated that property owners may have to be contacted to see their record of zoning changes.

G. Downtown Oronoco Gold Rush  
Nothing to report.

H. Sewer

Bertsinger talked to Phil Wheeler and they should hear something by the 15<sup>th</sup> of the month, then the City can inform the residents about Grant/Loan program for replacing septic. Some residents may look at cluster systems; and Stolps Cove should be looked at too (a community well may be an option for them also).

I. Coon Grove Site

Nelson suggested getting a committee together to research various options that are available for senior housing. The City has too many financial obligations to support a facility. Clerk Nymann will post this in the upcoming newsletter. Members of the committee will be looked at in the next Council Meeting.

## VIII. PETITIONS, REQUESTS & COMMUNICATIONS

- A. Doris Mulholland will be in the office M, T, W, & F 9am – 3pm the week Clerk Nymann is at the MCFOA Conference in Alexandria (March 15-19). She will be in this Tue. to go over items, projects, etc. with Clerk Nymann.
- B. Greg Griffiths, Attorney from Dunlap & Seeger, will review the Orderly Annexation Agreement for the City at a rate of \$130.00 per hour.

## IX. ORDINANCES & RESOLUTIONS

- A. Resolution 04-05 for Support of HAVA Grant Application  
Completed earlier.
- B. Ordinance Violation  
Follow up reports on Roger Webb and Steve Reese.

**X. OLD BUSINESS**

- A. Orderly Annexation Agreement with Township  
Set a special meeting to be held on March 24<sup>th</sup> following P & Z meeting.

**XI. NEW BUSINESS**

- A. Clerk Nymann's 1 year evaluation  
Keigley said that he and VanSickle sat down with Clerk Nymann for her 1 year review and reported that she has done an excellent job. A 3%, or more, raise was recommended. Nelson recommended to give Nymann a City Administrator/City Clerk designation. Others would prefer that designation be given after Nymann completes classes to obtain Certified Municipal Clerk title. **Keigley motioned to give Nymann a 5% raise, which would be .83/hr., Nelson second; DISCUSSION:** Amend the motion to state a \$1/hr raise instead of a percentage. Reviews will now be on an annual basis; **all in favor, motion carried.**
- B. Council Meetings  
Nelson suggested keeping the Council meetings shorter, and possibly going to 2 meetings per month. A possibility would be having one meeting for bills and committee reports, and the second meeting of the month for other issues. Clerk Nymann will research publishing guidelines to changing the meetings. This issue was tabled and information will be brought to next meeting.
- C. City Attorney  
It was suggested that a law firm was needed to represent the City of Oronoco and to not have a conflict of interest issue whenever the township was being discussed; and wanting to have someone that can answer all questions. While the City appreciates the service that Canan offers, the Council cannot see paying him to sit at Council while discussions about Oronoco Township occurs. Discussion included waiting until the end of the year when naming the official attorney, having a multi-lawyer firm represent the City, and having shorter meetings would cut fees. Council stated that Canan has done a good job, except for the conflict with Oronoco Township. Council will consider this topic.

**XIII. PUBLIC FORUM – No Citizen came forward**

**XIV. ADJOURNMENT – Ottman motioned to adjourn at 9:55PM, Nelson Second, all in favor, motion carried.**

Respectfully Submitted:

  
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Jason Ottman, Acting Mayor

  
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Cheryl Nymann, Clerk/Treasurer