

City of Oronoco  
Regular Council Meeting Agenda  
April 17, 2006  
7:00pm

**I. CALL TO ORDER**

Mayor Joy Bertsinger called the meeting to order at 7:10 PM. Working on sound system problems.

**II. ROLL CALL**

All Council members present, clerk Nymann, Attorney Tom Canan, members of community.

**III. APPROVAL OF AGENDA**

V. E. 9. Comprehensive Plan

V. L. 2. Trees on Peninsula

V. L. 3. Meeting w/ Rep. Demmer, Sen. Senjem, Comm. Ohly

X. Barking Dog Complaint

**Bertsinger motioned to approve the agenda, McDermott second; All in favor, motion carried.**

**IV. 2005 AUDIT ~ Thomas Cummings**

Reviewed his role in the audit with General Accounting Practices in an expanded reporting format. Management Discussion & Analysis is City's correspondence to a third party on what is going on in the City. Reporting format now used focuses on major funds and non major funds (i.e. General Fund, Debt Service Fund, Water & Sewer Fund, Street Improvement Funds, Park Capital Outlay Fund, Non-major Gov. Funds {everything else going on in the City}). Cash position is strong, and City's Finances are excellent. City has a healthy position with 9 months of expenditures in fund balances. Tom reviewed the Street Improvement Fund and why it is separated out from the debt service fund. Page 33 shows amended budget with the street improvement debt service fund. Franchise fees are accounted for as a tax, as well as gambling. Miscellaneous Revenues are for the developers reimbursements. The City can move that money to a special fund. Biggest piece of more revenues is interest income, and developer reimbursements. Highlighted Expenses: Salaries of Clerk & Asst. Clerk combined.

Office Supplies came in well over budget (large volume of supplies -lots of small items). This line item has been over in previous years, should look at increase in budget. Professional fees included accounting problems that have been resolved. 06-07 will be coming down.

P & Z budget huge over...EAW \$6,500 and engineering fees which were reimbursed for. Suggest increase and detail out with attorney and engineering. Create a department Financial Administration. Negative variance on General Government not out of line with city's of similar size.

Public Safety, nothing unusual. Public Works, on track. Capital outlay is costs on frontage road, engineering fees and overpass project. Financing arrangements (can take out of streets & roads special funds). Total expenditures unfavorable variance of \$6,000 expenses came out where anticipated and close to budget. The City is doing a good job of planning ahead and budgeting. More money coming in than what is going out. Non major revenue special funds, Tom can track through all expenditures with Council action. The process internally in City Hall is doing well and everything connected well. All special funds money is segregated. Accounts are balanced at every month, and resolved. Bertsinger; discussion on changing funds in 4M account and done all in one bank. It's working well for the city, transfers work well, and rates are comparative. Reluctant to change what seems to be working well. Management Letter.

Segregation of duties, small city. Not looking at every transaction, and based upon sample examination. Biggest estimate is uncollectible property taxes. 2005 there were some abatements, and city doesn't allow for uncollectible property taxes. This should be worked into budget, and look at a very minima amount into budget that is uncollectible. Accounting issues with health insurance reimbursement is not handled properly in W-2's; it has been corrected for 2006, Payroll taxes on it. Debt Service separate Fund and Account for it because they are reported for separately. SR Funds rolling them together. **Bertsinger motioned to accept Resolution 06-10 accepting 2005 audit, Hall second; All in favor, motion carried.**

## V. CITY DEPARTMENT & COMMITTEE REPORTS

A. OCSO ~ Sgt. Darnell No one here.

B. FIRE DEPARTMENT ~ John Stolp

1. Computer\* **Bertsinger motion to approve \$700 to purchase new computer, Keigley second; All in favor, motion carried.**
2. Pick UP Truck The factory is 2 weeks behind schedule. Blazer moved over to Gwen Holt, at Holt's residence, Cheryl is checking on the insurance issue with it.
3. Runs: 2 runs. Smoke alarm, vehicle rollover.
4. 800 MHz: training held.
5. Brush Piles Phone call from Grant Bauman in RWH brush pile on Stolp's property. Fitzpatrick will burn it. Caryl Cowden needs it also.
6. Fire Hydrants only one used at well in RWH.
7. All equipment returned from released fire fighters.

C. 1<sup>st</sup> RESPONDERS ~ Gwen Holt

1. Runs: 9 TOTAL, 4 Township, 5 City
2. New Member Jason Walter\* Not present. Excited to have a new member. **Bertsinger motioned to approve pending background check; McDermott second; All in favor, motion carried.**

D. EOC ~Dennis Blanck

1. 800 MHz Radios

Speaking to Joe Loftus and John Turk, 800 MHz loaned to him. Asking Council to purchase EOC (encrypted) \$4,200. Encryption allows other channel that can talk without others hearing about it (example of a body recovery). Why 800 MHz for Fire Department and First Responders and not given to EOC. All along they say that EOC not part of the system, and they will maintain vhs; and now it won't be. Differentiate encrypted radios. Totally separate radio. Council will need to do more research on it. Cheryl and Dennis met with PI EOC and John Turk in Pine Island, and going over situations. Wayne has sandbags for us if flooding occurs. A lot of the decision on the grant had to due with the grant writer, and previous EOC radio not being a part of the grant. Olmsted County lent Dennis an 800 MHz radio, and a charger for radio had to be purchased.

- 2) Alpha numeric pagers, \$7 per month. (Tom Novak had them last); went away from system, and now they want it back up...\$7 per month (all manager will get across the county).
- 3) EOC Handbook to Olmsted County. Dennis toured the EOC mobile command center for Olmsted County (POSSIBILITY FOR NNO)
- 4) Canan asked Dennis about a bird flu scenarios with EOC (there has been nothing).

## E. PLANNING & ZONING

1. Letter of Resignation on P & Z from Kelly Nowicki\*  
**Bertsinger motion to accept resignation, Novak second; All in favor, motion carried.**
2. P & Z recommendation for Erv Devlaeminck\*  
**Bertsinger motioned to fill vacated Rick Mattson's position/ Novak second; Erv thanked everyone for this opportunity. All in favor, motion carried.**
3. Flood Protection Elevation in River Park\*  
**Bertsinger motioned to accept, Hall second; All in favor, motion carried.**
4. US 52 Elk Farm Development\*  
Email with Fred Sandal from MnDOT and Joy. How would Council like to approach this at this time? Novak like to talk to GGG on this issue. Canan suggested they give city needs some forethought as well in the future.
5. Erv Devlaeminck attends the following GTS Trainings\*
  - a. The Basics, April 12 @ St. Paul, \$125 (reimbursements)  
**Bertsinger motioned to approve, Hall second; All in favor, motion carried.**
  - b. Beyond the Basics, May 25 @ St. Paul, \$125  
Question if it's too advanced. Maybe he should see how information is applied from first workshop, and attend the P & Z meetings, and then go to another workshop, so he has more experience.
6. Justin Bouwkamp Street Vacation Request\* Have not heard back from DNR. June 15<sup>th</sup> gave some information on past decision to vacate part of the street. In 2002, it was approved, but never recorded.
7. Summary of Applications\*
8. Annexation of Cedar Woodlands II\* Bertsinger, Resolution 06-07 (60 days on this).  
DISCUSSION: At what point does the city not annex property in when properties aren't full or 80% full. Also, some past issues still not dealt with. Why annex more when other portion isn't full yet. Fitzpatrick confident it will grow with the new interchange. Timing is right with Hwy 52 construction. Add police and fire protection to the new areas also. Will they be able to meet the needs of the city? **McDermott motioned to table the request for annexation of Cedar Woodlands II to May meeting or sooner and request Dan Fitzpatrick to attend it.**  
DISCUSSION: may affect 2 lots with Jech's property. It's stubbed on Jech's property, but not on Dan's end. **All in favor, motion carried.**
9. Comprehensive Plan  
Bertsinger and Novak have looked at it. Set up joint meeting with P & Z, Sewer & Water { {Novak requesting to set aside meeting for comp plan at P & Z} }, **Bertsinger motioned to have a joint Council & P&Z meeting to discuss comp plan on May 2<sup>nd</sup> at 7 PM, Novak second.** Clerk Nymann stated that she will be unable to attend.

## F. PARKS & TRAILS\*

1. Approval of basketball court resurfacing (Approved per quote: \$1,392)  
**Bertsinger motioned to approve, taken out of Park's Special Fund, Hall second; Discussion; on type of resurfacing, All in favor, motion carried.**
2. Approval of new committee members, Matt Jennissen and Grant Baumann **Bertsinger motion to approve Matt Jennissen and Grant Baumann on the Parks Committee, Keigley second; Matt out of city limits and in township, but lives close to the Park.; All in favor, motion carried.**
3. Approval of People's Cooperative Grant Use (Approve expenditures up to \$2,000 for the purchase of trees) **Bertsinger motion to approve Resolution 06-11, receipt of grant and purchase of**

- trees, **McDermott second**. DISCUSSION: Clarification that McDermott cannot benefit,; where will trees go (ballpark, Riverwood Hills). Also brought to the Parks attention was that the DNR gives trees away if you promise not to do anything for 10 years. **All in favor, motion carried.**
4. Approval of seeding expense at Riverwood Hills (Tilling the area and planting seed) Dollar amount, playground dug up last year planted with bad stuff. Rent stuff for a weekend \$400, seeding \$300, max of \$700. In the development agreement, Fitzpatrick is responsible for the beautification of RWH drainfield site not around the playground area. **Bertsinger motioned to approve \$700 for reseeding of playground area in RWH, Hall second; All in favor, motion carried. Bertsinger motioned this \$ come out of special funds for that, Hall second; All in favor, motion carried.**
  5. Approval of expenditures for Women's Softball (\$75 league fee plus up to \$100 for umpire fee for the season). \$175 another expense to be determined for a porta potty. The budget is \$1,200 for recreation activities
  6. Discussion of trails in Riverwood Hills. Development Agreement states that it is Dan's responsibility to put in the access points to the Parks. Adam thinks the trail should run through all of the out lots He would like to get it done within a month. Send another letter and have a deadline, done by June 1, 2006 (access point in RWH III). Adam will work with Cheryl on specifics (whole trail throughout the Park). There are ADA access issues also. **McDermott motioned to have Dan F. do access to trails in all access points under guidelines done by June 1st and remainder done by August 1st; while working with the Parks Committee depth of the lot that abuts the outlot. Hall second; All in favor, motion carried.** Clerk Nymann will send Dan Fitzpatrick a letter outlining the above. Ballfield parking will be on the grass, and along side street. Need to look at parking area in Parks Capital Improvements.
  7. Discussion of Ball Park usage and maintenance  
T-Ball on Tuesday; Wednesday is women's softball, Thursday is youth baseball. Should there be some type of rental agreement for use of the fields. Rental Agreement could be put together by Nymann, possible donation, instead of a price. As part of expense, need to purchase a lime striper, the drag is not in good condition (purchase a different one or have one made) clean up day this Saturday rake infield, and outfield, and take care of gophers too. Can fill in holes, but need to get rid of them. A-1 pest control and township could be called to see if they know who would trap them. T Ball expenses (40 kids) sign up this week. Equipment that the city needs (tees, baseball bats, helmets, {{less than \$500 would be initial start up cost. }}) It is a city Park and Recreation program; **Bertsinger motioned to approve initial start up cost, McDermott second; DISCUSSION:** Ask for donation of old equipment in the next newsletter. Younger age group need lighter weight bats. 24-26 "bat, 13-16 bats. **All in favor, motion carried.** Shed for storage not discussed in the committee. The current Volleyball court is not being considered at this time.
  8. Complaints
    - a) Access concerns, people cutting through yards
    - b) Dogs in Park; if on people's property, not much the city can do.
  9. Signage  
Adam has final prototype and getting cost on it. Park identifiers will be part of next meeting (at least \$2,000. No dogs allowed signs may go up sooner – as well as no alcohol).

5 minute break called for at 8:45M.

Called back to order at 8:55PM.

## G. STREETS & ROADS

### 1. Open Rock Bids\*

Holm Brothers Construction NO INSURANCE PROVIDED

Larry Stolp Construction INSURANCE ON FILE

Roberson Lime & Rock INSURANCE ON FILE

Ron Haglund Construction INSURANCE ON FILE

1 duplicate rock bid Roberson & Holm; comparative Holm \$9.75 and Roberson \$9.60

**Bertsinger motion to accept Roberson Lime & Rock Bid, Ron Haglund Bid, and Larry Stolp Construction, Hall second; DISCUSSION:** Bid was published the same as what is sent out every year. **All in favor, motion carried.**

### 2. 5<sup>th</sup> Street SW\*

McDermott gave a summary on what is needed. 18-20' drive lane, everything to the south with 12' of property needed. Four trees on south side that need to be removed, one in county r-o-w and the others are further to the west along 5<sup>th</sup> street SW. North side of 5th street, clean up the ditch along it so water flows and 4 culverts. Turn around at y instead of a cul-de-sac. Spoke to the Stolp's and willing to donate some property for this. And have a back around instead of a full cul-de-sac. Need 3 hours of engineers on this. Discussion needed with Mr. Spading (property owner on south side of 5<sup>th</sup> St SW) on deeding with fee, or taking an easement. Mark Stolp was present and stated that he talked to him last year and wanted to make sure he had an easy flowing slope. South side wouldn't need a ditch cut there, just slope it down easily and not steep. Cut top off roadway and roll back and pack because it heaves so bad (Carl Stolp suggested). Aquila will need to move the gas line. Engineer will make those type of decisions. May need ditch by garage. **Bertsinger motioned to have engineer give report on street, Hall second; All in favor, motion carried.** ALSO, want engineer to go with to take a look at streets. **Bertsinger motioned to have City Engineer go with streets & road committee, McDermott second; All in favor, motion carried.**

### 3. West Side Frontage Road Naming & Address Changes\*

Concerns on why can't call west frontage road, Nymann had discussions with County and Township on this already and this is what is being recommended. **McDermott motioned to approve Resolution 06-08 which the west frontage road will be named as Lake Shady Avenue, Hall second; Voice Vote: All in favor, motion carried.** **McDermott motioned to approve Resolution 06-07 which is a continuance of MN avenue south to 112, Hall second; DISCUSSION:** Township approves of this naming also, and will go before them for signing as well; **All in favor, motion carried.**

### 4. Chloride on Timberline Dr SE

Citizen complaint on it. Can city bill Jech's for chloride? Inform Jech on the issue that his trucks are creating problem. Council will review situation when chloride applied on other roads to see if it's a problem. Clerk Nymann will notify Jech on the issue.

## H. WATER & SEWER

City received matching grant, got bids on getting it completed. 4 study areas on the web site on water and sewer page. The grant will come through the City and will need to be accepted through a resolution.

## I. COMMUNITY CENTER

Oven on Main Level\* Double ovens aren't made any more. Have an old microwave on top.

**Keigley motioned to purchase a new oven with a cap of \$600, McDermott second;**

**DISCUSSION:** Take out of Community Center Special Fund; **all in favor, motion carried.**

## J. DOWNTOWN ORONOCO GOLD RUSH DAYS

Newsletter reminder when it is, volunteers, registrations going well, meeting with LHS next Monday night before Leadership Committee meeting. Hall requested Clerk Nymann to post meeting for 6PM April 24<sup>th</sup> as a Special City Council Meeting, because there will be more than 2 Council present.

**K. LAKE SHADY**

Nothing to report.

**L. HIGHWAY 52**

**1. MOT Meeting Reports\***

**Regarding Signage, Council will want to identify the north end of Oronoco as an entrance to Oronoco.**

**2. Trees on Peninsulas**

Jai received concerns Friday on trees being removed. Correspondence if proper procedures were being made. Joy and Tom went down and had a meeting. Joy said because the hatched area is going to be filled for wetland mitigation, every acre for what is disturbed they have to do 1/1/2 acres of wetlands, to replace for trees being taken. In order to do wetland, they have to take the peninsula down to 6" of normal summer water level. Some north peninsula trees will be saved. According to Jai, this is not MnDOT, it is the Army Corp of Engineers and DNR who approved the wetland mitigation permit. Bertsinger reported that the Lake Shady Committee and Zumbro Watershed District have reviewed it and approved it. It was clarified that Storm Water ponds cannot be used as wetlands. *Dick Nelson was present and asked if MnDOT is not restricted to this area for wetland mitigation, why can't they go somewhere else? Wherever MnDOT owns property, they can create the wetlands. There was not much consideration to the city on noise and aesthetics haven't been considered very well. It was reported that 6" Seedlings will be planted.* DNR suggested putting in more mature trees, seedlings aren't very tolerant. Discussion could still be pursued on this. *Nelson stated that this is a learning session for everyone that MnDOT cannot be trusted. Its wrong when they come with the first map, didn't invite city in on the mitigation, and then presented with this map where there are trees gone, and took 52 pieces of property from the City's tax rolls. Corp of engineers set rules and regulations that MnDOT has to follow. MnDOT has the project, and they do have alternatives. Vegetation provided need to be more mature. Why are hardwood seedlings being planted?* Dick requested a copy of the restoration plans and would like to have input on what goes back in there. Clerk Nymann will secure a copy of the mitigation plan.

**3. Meeting w/ Rep. Demmer, Sen. Senjem, Comm. Ohly**

After discussions with our representatives, having a meeting during session is not a problem. What would the meeting accomplish?? In Joys email to the above people, situations were explained, and the residents representatives need to know that these things are happening, and maybe they won't happen to other people. There may be satisfaction that individuals' voices would be heard. Clerk Nymann will notify citizens through the next newsletter. Joy will get her the meeting dates.

**VI. PUBLIC FORUM**

**Dick Nelson, 115 2<sup>nd</sup> Avenue NW**

a) **Dick Nelson issues: Fireworks being set off from his neighbor's yard for the City's fireworks display, damage his home and property from the landing debris. Requests city to find a different launch site. He has to leave house with dogs during the display, and he picked up 2 garbage bags full of debris in his yard. The falling debris has damaged his roof and umbrella (after it was folded up). Suggestions on alternate sites discussed.**

- b) Dick asked if there was a warranty on the streets. The street is breaking up on 2<sup>nd</sup> Avenue NW. The Streets & Roads Committee will be out looking at it. And further south on that road, it heaves, and drains into Jackie's yard and eroding toward her front yard.
- c) As far as wetland mitigation, Dick suggested the City talk to Lance Sorenson on what he would recommend as far as trees to recommend to the restoration.
- d) West frontage road. Initial estimates were 40-45 million for the entire Oronoco Project, contracts came in at \$35 million so under estimates; and then MnDOT said that they can't afford the Frontage road. He is requesting that the City go back to MnDOT and ask them why they can't put that frontage road in now. He said that the West frontage road issue is not dead yet.

Public Comment called for two more times.

## VII. UNFINISHED BUSINESS

### A. BORING'S ON PETERSON'S LAND\*

Report showed it would not be useful property for water or septic systems. Keigley said that with this level land, it would be a good acquisition for the city, and it could be used for future maintenance needs, and that land already abuts existing maintenance building. Also, the City just spent double that on a brand new pick up truck. Discussions that it could be rented out for DOGR, a parking lot for big rigs during DOGR. be a revenue source during these times. Another possibility is that the City could make an offer on it. Nelson stated Peterson is offering it to City ½ under on assessed value. No concrete plan, but it's an investment in the future and property value will only rise over the years. Talk to Kent; see how the property could be used. No right of first refusal in place now. No decision was made, and Mr. Peterson said he had another buyer for it.

## VIII. NEW BUSINESS

A. WELL'S FARGO PROPOSAL\*In lieu of Tom Cummings response, Bertsinger doesn't want it to be brought back.

### B. 4<sup>th</sup> of JULY CELEBRATION\*

1. Cruisin' Tunes \$500 Gold Rush Special Funds **Bertsinger motioned to accept proposal, McDermott second;** want to bid out for. Steve Mohlke recommended them. Entertainment value is more important for the price. **All in favor, motion carried.**
2. J & M Displays \$4,500 per contract **Keigley motioned to accept proposal, Hall Second; all in favor, motion carried.**
3. Kelly Parker Pyrotech ~ \$350 **Bertsinger motioned to accept proposal, Keigley second; all in favor, motion carried.** It's on Olmsted County Property where they are being shot off, and not on private property. Insurance is verified. Dick's concerns have been heard, however, the display will remain as in previous years. There is access for emergency areas.

### C. CONTRACT W/ BONESTROO

Tom gave City email info on this. Bonestroo contact Tom, and work it out with him, don't need to do it for now. McDermott questioned range of hourly rates huge. Joe Palen; replied that they are reflective to employee experience. Does City have controls on stating what level of experience they want? YES, they do. Canan will review with Bonestroo Attorney.

PROPOSAL FOR ORDINANCE REVIEW: Joe Palen presented a letter summarizing what they are looking at. Proposed work to be done on an hourly basis \$2,800 with Ordinance review, checklist, and recommendations. Also included engineering standards for \$3,500. A lot of benefit for the City



C. FINANCIALS\*

1. Budget, 4M Account, Transactions

**Bertsinger motioned to approve the financials, Keigley second; All in favor, motion carried.**

XII. ADJOURNMENT

**Bertsinger motioned to adjourn at 11:15PM , Hall second; discussion: City Engineer time here (\$50 per meeting); All in favor, motion carried.**

Respectfully Submitted:

  
Joy Bertsinger, Mayor

  
Cheryl Nymann, City Clerk/Treasurer