

City of Oronoco
Regular Council Meeting Minutes
May 15, 2006
7:00pm

I. CALL TO ORDER

Call to Order @ 7:03 PM, All Council Present,

II. ROLL CALL

III. APPROVAL OF AGENDA

ADDITIONS: I

IV. A. C. Dog Packet Information

V. L. 3. Wetland Mitigation Presentation ~ Katie Dudley

VII. B. FEEDLOT IN ORONOCO TOWNSHIP

VI. C. ONYX CONTRACT

X. C. 3.Transaction Detail by Account

Bertsinger motioned to approve with additions, Hall second; all in favor, motion carried.

IV. CITY DEPARTMENT & COMMITTEE REPORTS

A. OCSO ~ Sgt. Darnell

1. Dog Packet Information

Sgt. Darnell presented packet of information on the dog issue. Rochester Animal control only responds if Sheriff's Office calls to an emergency situation. The City needs to address running dogs, loose dogs, etc. Suggested getting with area Township or several townships and take care of this with a plan. OCSO will only respond if it is an immediate threat.

- 2. Bertsinger received a complaint on paint ball activity along bridge and river edge. Clerk Nymann will cc the email to Sgt. Darnell. Safety issue; that they're also shooting birds, other animals, etc.**

B. FIRE DEPARTMENT ~ John Stolp

1. Meeting w/ State Fire Marshall

Meeting with Fire Marshall, John, and Cheryl. Fireworks site has been approved.

- 2. New Truck will be picked up on Wednesday. Clerk Nymann will take care of license. Cost of truck, approved with running boards, and cost dropped \$296.00. It will be extra for better running boards. \$6,216.99 is for lights and radios (1/2 Fire Department and 1/2 from First Responders). **Bertsinger motioned to approve 6,300 for lights and radios, McDermott second; All in favor, motion carried.** Painting on fire truck, Schad Tracy \$460 (may vary a little). **Bertsinger motioned up to \$500 is for painting and decal new truck, Hall second; all in favor, motion carried.****

C. 1st RESPONDERS ~ Gwen Holt

1. Runs: 9 Total (7 Township, 2 City)

- 2. Concerns; lack of access on County 12/112. Gwen has already spoken to Curt Bowles, if emergency call, will have to go through OCSO for access issues. Knew prior to construction there would be access issues, and has permission from medical director to use Mayo 1 if there are access issues. Try to use Blazer first off Hwy. 52. Gwen feels as prepared as they can be.**

D. EOC ~Dennis Blanck

E. PLANNING & ZONING

1. Paul Pendergrass Rezoning Request

P & Z recommend approval. **Novak motioned to accept Pendergrass rezone request from B-1 to R-1, with findings of fact that 1) when he requested to move it to B-1 didn't realize changes occurring to B-1 zones; 2) there are several zoned R-1 properties in his neighborhood. Not running business out of house. McDermott second; all in favor, motion carried.**

2. Justin Bouwkamp Street Vacation Request

Bertsinger motioned to deny, Hall second, with finding of facts 1) previous request from DNR not to vacate the whole street, 2) the city is looking at access trails through there; all in favor, motion carried.

3. Zoning District Changes

Novak provided a summary on this, and that at the 2002 community meeting residents want Oronoco to retain its unique identity; therefore, P & Z doesn't want to obtain a look like north Rochester allowing mass storage units. Highlights included:

R-1; no changes

R-2; promote affordable single family and multi-family units (townhomes, need to have city municipal systems)

R-3; higher residential district; goal to promote affordable multi family (located closer to the freeway; utilizing land in a better way, certainly need municipal services)

B-1; Historical District...along MN Avenue; Promote a pedestrian friendly, atmosphere, deter high vehicle traffic.

B-2; take out mass storage facilities, locate along Hwy 52 and major intersections, promote vehicle friendly businesses.

M-1; kept that option in.

M-2; take out heavy manufacturing; don't need to create a lot of jobs through manufacturing; Added recreational business into B-2 and B-1 Districts.

Attorney Canan advised Council to make sure the zone changes don't create non-conforming issues. **Novak motioned to approve the summary and addition, Bertsinger second; DISCUSSION:**

- Concern on rezoning and throwing out light manufacturing.
- Residents have stated that Oronoco is unique the way it already is;
- Some type of elderly housing and housing for young people is needed;
- R-2 already addresses row homes;
- A way to pay for municipal services would be from the higher density housing.
- If you don't want manufacturing like Rochester, then shouldn't have high density housing like Rochester also;
- Some people don't want to go clear to Pine Island or Rochester for storage facilities;
- If mass storage facilities are taken out of zoning ordinance, does it cover all current businesses, so there aren't any non-conforming? Can controls be put into guidelines?
- R-3 isn't on the Future Land Use Plan, and steps on how to control these areas develop;
- If a current business in the newly zoned areas is a non-conforming use, they couldn't expand, and could not rebuild if destroyed. What does that say about the City's current businesses?
- A resolution addressing these changes is needed, (and a map with line going around with M-1 parcel, (example only), and notices need to go out to the effected property owners;
- This is not for rezoning any properties right now; more for the future zoning;
- A complete document is needed on what is to be changed;

Tabled until next month. P & Z get new document to City Hall.

4. Summary of Applications

Clerk Nymann provided a listing of application summary for Council review.

F. PARKS & TRAILS

1. Park Committee to name the ballfield Memorial Park due to all volunteers to City.
Bertsinger motioned to name ballpark, Memorial Park, Hall second; All in favor, motion carried.

2. Discussion of Riverpark Area

The access to the park is a dirt path that is muddy, narrow, and has ruts; and in order to do any work on it, a road would need to be continued to it. This area is targeted for future development. But unless an improved road is put back there, it will be difficult to put items in. Bertsinger thought the development agreement clearly stated clear that the Developer had to gravel it back there. Power has been run down to this Park. Water line has been stubbed.

G. STREETS & ROADS

1. Scott Keigley Meeting with County

Keigley had a meeting with Olmsted County and other city and townships. Areas in red, they want to turn over to the city. They make sure everything is up to standards or money equivalent of. This is a 15 year plan.

2. Seal Coating

Joe Palen & Kevin met on 5th St to improve the street with a turn back. Also looked at seal coat in other areas of the City along with 3rd Avenue SW.

Seal Coating Discussion points:

- ⇒ 12th LN SW, 3rd St SW, and 13th LN SW are recommended to be seal coated. To complete this it would need both crack filing and seal coating.
- ⇒ Limestone chip brown or tan appearance (not as hard as other, won't last quite as long, not aesthetically as nice).
- ⇒ Granite chip (pinkish/brownish); harder and more durable, cost are 30% more than limestone chip.
- ⇒ Trap rock, light gray, dresses up street; aesthetically more pleasing. 30% more than limestone chip. Could combine with another area, and program with all areas of the City for budgeting.
- ⇒ If heavier traveled roads, recommend B or C.
- ⇒ Life expectancy decreases with limestone (most of the value is in the oil) rock is simply what covers it up.
- ⇒ For the money, limestone is better, aesthetics, for B & C (Zumbro Hills is a limestone base)
- ⇒ 3 contracts that do a lot of seal coating in the area. Not too late, send them a letter with a map, and they give a quote.
- ⇒ Don't have to bid or advertising.
- ⇒ Larry Stolp suggested making sure to include the County because they do it also.
- ⇒ Recommend quotes on A & C type.

3. 5th St SW.

- ⇒ After looking at it, it was recommended to expand the road approx. 10' to the south, removing 4 trees, trees, removing and replacing culverts, ditch grading on north side of street (which has an aggressive sump pump discharge, and replace tile there (Jeff Wangsness)); difficult to re-grade ditch (tile under the ditch need to be replaced).
- ⇒ South side of the road; hammer head (3 pt) turnaround at end of road, facilitate large vehicle traffic (also need to acquire ROW on that).
- ⇒ Approx. \$20,000 to bring 5th St SW to an aggregate base. Carl Stolp interjected that the section by Wangsness has heaved previously).
- ⇒ Joe P. also presented cost for paving; advantages to paving with construction of the road. Surface would need to be prepped, and shouldered if came back later to do it.
- ⇒ Need to establish property boundaries, and design in the field (engineering cost approx. 15%).

Bertsinger motioned to have the City Engineer survey the width of road and turn around, McDermott second; DISCUSSION: The information should then be taken to surrounding residents for ROW discussion, (Canan could order encumbrances), \$100/pc per property; streets committee work with Joe and Tom, and in meantime notify Aquila. Joe suggested a schematic to show property owners (trees removed); **All in favor, motion carried.**

4. 2nd Avenue SW

Currently there is nothing indicating that the road stops (it's a dead end road). Recommend to put a 3 point turn around in there; could take dead end signage down there that wouldn't be too intrusive. Signage with 3 point turnaround. Can be constructed within existing ROW.

H. WATER & SEWER

1. Bid for Survey grant

Requesting for more bids, to do a study area. Take a look at an area and say, 'is there enough area, can a community system be used'. This would give the City options other than a City Wide system.

2. Pumping permit forms*

Bertsinger motioned to approve pump report, Keigley second; All in favor, motion carried. Committee recommends no cost for the permit at this time.

3. Pumper Meeting*

If something's wrong when pumped, it is up to the pumper to report it to the responsible authority. In order to have that transition, Sheila will meet with area pumpers, and how to get that information to City Hall.

I. COMMUNITY CENTER

1. Front Door:

Grant applied for, answer in June, lock is causing problems.

2. Community Center FYI. Stove has been purchased. How did it get over \$600? (Taxes, delivery and disposal charges). Bertsinger will look at it.

J. DOWNTOWN ORONOCO GOLD RUSH DAYS

DOGR various signs and mapping for DOGR days. July 17th is an informational meeting for residents at 6PM. DOGR meeting will be at 5:30PM.

K. LAKE SHADY

Al Koenig attended a meeting with the Zumbro Watershed Partnership meeting in March, when Hwy 52 focuses on the environment last March. Roadside clean up went well.

L. HIGHWAY 52

1. Turnback Issue*

Bertsinger moved Hwy 52 issue moved up on agenda. Joe Palen reported the turnback that MnDOT's estimates of about 25% less than actual amounts. The City could accept a proposal for \$160,000 now and could conceivably cost \$200,000. Tom Canan questioned if highway road bed is in fee title. If in fee title, the underneath belongs to the City. Condition of either bridge or culvert unknown (only looking at pavement). Latest inspection reports would be in continuous discussions. Jai indicated their estimate is rough, and will look into future costs. This possibility could be kept open and City could choose to do it at any time. If City chooses to receive the money, they wouldn't receive the money until the actual turnback date. City needs to consider damage that takes place between now and end of the project. **McDermott motioned to hold off on it, Bertsinger second; keep option open, All in favor, motion carried.**

2. Rolling Lane Closures*

FYI Press Release for Council

3. Wetland Mitigation Presentation ~ Katie Dudley

The mitigation team had 2nd mitigation meeting today and presented a map from Steve W. Highlights of the mitigation plan were:

- Putting seed mixture in that won't spread into the lake.
- Mitigation is mostly 6" above normal summer water level.
- Suggest putting in a type of evergreen long highway but concerned that salt from the road would damage the white pine along the road.
- Strict guidelines from Corp of Engineers discuss the monitoring of the site (They requested the monitoring be done for 10 years)
- City wants copies of the annual mitigation reports.

- Katie requested information on (the fill material) soil that they will be putting in the upland site. They will be meeting with the Leadership meeting on next Monday night. Kate will bring an answer of what is required, and what they will be doing with that.
 - Kevin clarified to Council that the mitigation meetings have 2 people that were foresters living in Oronoco on the committee, and they understand what will survive out there.
 - The trees would be 4'-11' tall.
 - Kate Bartelt thanked the team members that took part in the process. The partnership worked very well.
 - More trees will be coming out on NW side of the highway.
4. Lake Zumbro Improvement Association is signing up as a nonprofit to dredge Lake Zumbro.

Short recess called for at 9:08PM.

Called back to order at 9:15pm

M. PERSONNEL COMMITTEE

1. Employee Vacation Times*

Keigley motioned to close July 3rd, McDermott second; DISCUSSION: If office closed it should always come back to council. **All in favor, motion carried.**

2. Kent Nymann 1 year Anniversary (June 10th):

Kent 1 year anniversary; Tuesday, May 23rd at noon, review. Clerk Nymann will email review and forms to Joy and Scott.

3. Email Policy:

Concern on which were passed and which ones weren't. Bertsinger wants to make sure they are staying informed. **Bertsinger motioned to accept email policy that when resident contacts city hall or attorney cc to mayor. DISCUSSION :**

- Understanding of being informed but seems to be micromanaging, and where should the line be drawn?
- Trust your employees, they're paid professionals to decipher what citizens bring in.
- Council should let Clerk's office do their job, and Council do their jobs.
- Fact gathering before Council was informed on the subjects.
- Council, as an elected official, doesn't want to hear from neighbors what's going on at City Hall
- Council should know as much as Clerk knows.
- Important emails weren't forwarded to all Council.

Keigley motion that all emails be cc'd to Council. Contact to attorney should pertain to everybody that contacts the attorney and the elected representatives. Canan also reviews individual emails to other people as well. **AYES: Bertsinger, Hall; Nayses. Keigley, Novak, McDermott. Motion failed.**

Novak motioned to cc complaints or concerns on an email be cc'd to council, Bertsinger second; All in favor, motion carried. Just try to share more information with another.

V. PUBLIC FORUM

VI. UNFINISHED BUSINESS

A. BONESTROO CONTRACT*

Bertsinger brought Bonestroo contract back up. Canan addressed all comments. **Bertsinger motioned to approve revised contract Bonestroo, Hall second; All in favor, motion carried.**

B. DOG ISSUE

Recommend; Send letter to PI City Council asking if we could contract with them to house stray animals. City isn't alone in not knowing how to handle this. Prosecution of animal control stuff (crossing over County Lines). And send a letter to Rochester (OC Board and keep 30% open for county) and bring back to Council.

C. ONYX CONTRACT

Onyx will credit on accounts for more than 5%.

VII. NEW BUSINESS

A. LMC LIABILITY COVERAGE WAIVER FORM*

Bertsinger motioned to accept, Keigley second; All in favor, motion carried.

B. FEEDLOT IN ORONOCO TOWNSHIP

The City been contacted about the feedlot by a resident in township. City has not received any notice about the feedlot. There was suppose to be a public hearing with OPAC tonight, but it was postponed due to an EAW, EIS. Clerk Nymann sent a letter to Township to request they hold off on decisions until the city has an opportunity to discuss it. Up to 4,000 pig farm is being proposed. Novak did calculations; the feedlot is just under ½ mile from Whittington Acres. It was recommend the City send letter to Township that it may adversely affect City residents, and voice concern on proximity to the City residents, as well as send postcard to Jasik's. Township resident spoke on this. A lot of pollutants and contaminants, which is also environmental concern and groundwater contaminations. Bio filters effectiveness decreases when open doors. Number of different situations arise, including possible decreasing property values. 25 citizens signed petition to MPCA requesting and EAW, they review and determine if EAW is needed. **Novak motioned to send letter of concern to Township on feedlot issue which is within ½ mile of city limits sighting concerns on air quality and water quality, and the City will support a request to complete an EAW. Bertsinger second; All in favor, motion carried.**

VIII. ORDINANCE & RESOLUTIONS

A. RESOLUTION 06-07 ANNEXATION OF CEDAR WOODLANDS II*

Bertsinger motioned to approve, Keigley second; voice vote All in favor, motion carried.

IX. PETITIONS, REQUESTS, & COMMUNICATIONS

A. CORRESPONDENCE TO NELSON'S, FIREWORK'S DISPLAY*

Discussed earlier

CONSENT AGENDA

A. MEETING MINUTES*

1. 04-12-2006 Special City Council Meeting Minutes

2. 04-17-2006 Regular City Council Meeting Minutes

p 3 E 6, last sentence, 2002 street vacation was approved but never recorded.

P 6, Hwy 52, Nelson spoke, 52 pieces

Bertsinger motion to approve, McDermott second; All in favor, motion carried.

3. 04-18-2006 Truth In Taxation Public Hearing Meeting Minutes

Dale Wittlief Penny reevaluated ORONOCO

Bertsinger motioned to approve, Hall second; All in favor, motion carried.

4. 04-18-2006 Emergency Council Meeting Minutes **Bertsinger motioned to approve, McDermott second All in favor, motion carried.**

5. 04-20-2006 Emergency City Council Meeting Minutes w/ DNR & City Engineer

P2 at top clarify Nelson stated

Bottom of p. 2 meeting earlier today and delete end statement

Bertsinger motion to approve with noted changes, Novak second; All in favor, motion carried.

6. 04-20-2006 Emergency Closed City Council Meeting Minutes

Closed session clarify at top based on attorney client privilege

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

7. 04-27-2006 Emergency Closed City Council Meeting Minutes

At top of 2/3 state agencies aren't obligated; commit upfront to represent city; LMC findings that MnDOT may not be obligated to follow City's shoreland ordinance, city has decided not to pursue an effort to get MnDOT to comply with the City's Shoreland Ordinance. **Bertsinger motioned to approve, Keigley second; All in favor, motion carried.**

8. 05-02-2006 Special Joint City Council Meeting Minutes w/ Planning & Zoning (No motion needed.)

9. 05-08-2006 Special City Council Meeting Minutes
Delete area talking about Whittington Acres from a different meeting
Bertsinger motioned to approve with changes, Keigley second; All in favor, motion carried.

B. BUILDING PERMITS*

- | | | |
|------------------------|-------------------------------|--------------------|
| 1. Tony Talbot | 1205 Valley View LN SW | Basement Finish |
| 2. Skylet Breitenstein | 540 Valley View RD SW | New Home |
| 3. Guy Griesmann | 460 Sunny View LN SW | New Home |
| 4. Patricia Askvig | 540 MN Avenue S | Remodel after Fire |
| 5. Kevin McDermott | 105 4 th Street SE | Floating slab |

Bertsinger motioned to approve 1-4, Keigley Second; All in favor, motion carried.

(McDERMOTT STEPPED DOWN FROM TABLE)Bertsinger motioned to approve #5), Hall second; All in favor, motion carried.

C. FINANCIALS*

1. Budget, 4M Account, Transactions
2. Special Funds Checks:

Nelson Electronics	\$2,646.26
Rochester Electric	\$7,215.09
Olmsted County Rental	\$334.50
Gwen Holt	\$43.85
Jackie Hall	\$75.08

3. Transaction Detail by Account

Bertsinger that council review transactions each month.

Bertsinger motion to accept #3, Keigley second; All in favor, motion carried.

Bertsinger motioned to approve balance sheet second All in favor, motion carried.

Bertsinger motioned to approve Special Fund checks, Keigley second; all in favor, motion carried.

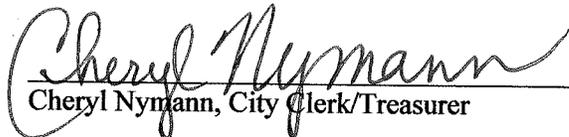
Comp plan p& z public hearing June; formatting done.

XI. ADJOURNMENT

Keigley motioned to adjourn at 10:34PM, McDermott second; All in favor, motion carried.

Respectfully Submitted:


Joy Bertsinger, Mayor


Cheryl Nymann, City Clerk/Treasurer