

**Regular City Council
Meeting Minutes
Monday, May 16, 2005**

I. CALL TO ORDER

The meeting was called to order at 7:06 pm by Joy Bertsinger
Mayor Bertsinger read the following statement: *insert here*

II. ROLL CALL

Present: Scott Keigley, Jackie Hall, Joy Bertsinger, Tom Novak, Kevin McDermott, Clerk
Cheryl Nymann, members of community

Absent: City Attorney Tom Canan

III. APPROVAL OF AGENDA

Additions in Blue, deletions in red.

IV. CITY DEPARTMENT & COMMITTEE REPORTS

A. Personnel Committee

1. Sandy Jessen 6 month review* **CLOSED SESSION**

Sandy requested closed session. Closed session began at 7:08PM. A favorable
6 month review for Sandy Jessen. Council voted on a pay increase for Sandy.
Came back into open session at 7:36PM

2. Maintenance Position Opening

Ward turned in his 2 week notice....Personnel Committee needs to meet, and
will do so after the council meeting tonight.

B. Olmsted County Sheriff's Office

Sgt. Darnell will be back in June. The Sheriff's department would like to see the Hwy.
52 reconstruction consider openings for emergency response, and have the JC's access
remain open during construction (fully open as long as possible). A longer response
time not effected from coming north, but if they need to get to other side of highway,
then it would lengthen response time. Assuming that when the overpass is under
construction most from east CSAH 12 will go South on highway 63. Council asked if
there were any safety concerns of people to cross at JC's, going north and doing U-
turns through medians; he stated that would be dependant on volume of traffic. It was
stated that the engineers have work good with the OCSO. He also urged council to get
a dog program in place because difficulties will happen sooner, not later; and the City
needs to have a plan; it can't wait until the end of summer.

C. Fire Department

1. Training on MnDOT buildings
FYI letter for Council

E. 1st Responders

1. 7 Calls: 2 City, 5 Township
2. Congratulations on EMS week
3. Gwen stated with the Highway 52 reconstruction, they would like to keep
intersections open for Emergency services, Tilly's would work the best

because it's in the middle; 100th street is too far away and adds to response time; and if there were closures for the intersections, to keep it to a limited time period.

F. EOC

No severe weather; meeting with John Stolp and Delbert Holt

G. Streets & Roads

1. Weight restrictions lifted (FYI), signs pulled.

H. Parks & Trails

1. Council accept Parks Committee Review/Requests

Bertsinger motioned to accept this with one recommendation. That the West side ballfield receive playground equip; SK second; DISCUSSION: Park Committee recommendation. To have equipment there because there is a huge public interest in it; eventually it could connect park areas with trails; **all in favor, motion carried.** Adam Brase was present and asked council to pursue relationship with MnDNR about their interest for putting in a canoe landing in; they could put in a 100% DNR cost, but city has to submit a letter stating they are interested in a collaborative effort with the DNR; they're also interested in connecting to the Douglas trail and Adam would like to send a letter to the DNR to get the ball rolling. **Bertsinger motioned to have Adam submit letter to MnDNR to open talks for the above reasons, McDermott second; all in favor, motion carried.**

I. Planning & Zoning

1. EAW for Riverwood Hills

The MPCA is worried about storm water ponds; there are adequate amount of ponds when permit was submitted. They don't want the ponds on top of hills but instead in the drainage areas. Council needs to decide if the submittal from the DNR on impervious surface standard items written with EAW's estimate of 25 acres would be high. McGhie and Betts indicated the civil engineer will get everything lined up, and there will be more accurate numbers for the npbs permit. The wildlife displacement; from previous EAW left in for clarification and the point was that the personnel turnover all for phases refereed to phases 1-3. Dan Fitzpatrick stated that this EAW was submitted earlier and pmds was not submitted yet but wanted to get the EAW in on the front end of the projects instead of waiting. **Bertsinger motioned for a negative declaration for the EAW, based on the finding that McGhie & Betts have addressed issues from MPCA, MnDOT and the DNR, and the City's expectations; all in favor, motion carried.**

2. Oronoco Commercial Park

All work has stopped because it has been determined that a portion of this property is considered wetlands, and there are procedures to follow with DNR.

3. P & Z held public hearing P & Z recommends approval to rezone Ray Gallie from B-1 to B-2, located at 1220 5th Rd NW, **Bertsinger motioned to approve rezoning of from B1 to B2, , located at 1220 5th Rd NW belonging to Ray Gallie, Hall second; all in favor, motion carried.**

J. Community Center

1. Letter of improvement recommendations*

Council received a letter of recommendation for Community Center improvements, which includes using \$2,500 from CC Special Funds; **Hall motioned to approve spend the \$2,500 from CC Special Funds; for improvements stated , Keigley second; all in favor, motion carried.**

K. Downtown Oronoco Gold Rush

1. Request from Brad Goeden

Letter requesting mowing this property in return of storage of barrels. Hall stated that when he offered to store barrels by Nelson, there was never question or proposal of payment for that, so don't think it's wise for city to mow it. Hall will contact him about this.

L. Water/Sewer

Task force on hold until grant info back; would like to have meeting with Sheila Joy & Tom N. on that committee and will meet with her (1 hour meeting); 6pm on Tuesday, June 14th

M. Lake Shady

1. Public Notice from Corps of Engineers

Comment period to the Corps of Engineers.

2. Request from Katie Dudley

Bertsinger motioned to pay for the course and literature which Katie has requested, Hall second: DISCUSSION: Bertsinger made amendment to take cost of these items out of Lake Shady Special Funds, Hall second amendment; all in favor, motion carried.

3. Zumbro Watershed Partnership

Bertsinger motioned for the City to become a member of this partnership and take \$100.00 out of Lake Shady Special Funds, Hall second; all in favor, motion carried.

4. Letter from Judy Ohly

This letter refers to the Zumbro Watershed Partnership.

N. Highway 52

1. Utility Tunnel*

Bertsinger motioned to close offer to utility companies because they're not interested; DISCUSSION: McDermott stated that not all people in his organization were contacted because it wasn't passed along to the right people and that it shouldn't be closed because it can benefit other utilities Motion died for lack of second..

2. Letter from MnDOT on Cart Path

Council questioned whether they should take any action. It was suggested to wait on it until we hear from our attorney on it. Keigley stated his concern about MnDOT not helping out with this in any way. **Bertsinger motioned to delay any action until hearing back from Canan on this matter, McDermott second; all in favor, motion carried.**

V. PUBLIC FORUM

Bertsinger called for twice, no one came forward

VI. OLD BUSINESS

A. Shelley Nakata litter – registered letter returned

Bertsinger motioned to have Olmsted County serve her a ticket, Hall second; all in favor, motion carried.

B. Shed in ROW (Williamson)

Clerk Nymann submitted pictures, and measurements of the shed and where it lies, not in ROW; **Bertsinger motioned to approve his building permit, Keigley second; all in favor, motion carried.**

C. Fitzpatrick RWH IV – letter

This refers to the letter sent April 20th to Dan Fitzpatrick.

Some residents are concerned with various issues also.

1. Where are the reports on Septic Systems? Dan stated it is done through Olmsted County Utility Services (LLC), and Dan has license along with Steve Struckman who monitor the system. Dan will submit quarterly reports to the City.
2. Homeowner's Association: The City has been contacted about concerns for this association in Riverwood Hills, and it is in the abstract, but no meetings have been held yet. Dan agreed that it's time to begin the association meetings because the threshold of homes has been met. Novak asked for clarification on what the homeowners association responsible for and Dan responded that they would be responsible for drainfield wastewater treatment system, and have rights to private parkland, along with maintenance of the private road. Also, the outlots are still in Dan's name, so they would need to be turned over to the homeowner's association.
3. Cul-de Sacs are private roads. The road base there isn't known by the city, and questioned if it was wide enough for buses to get in. Dan still owns this private road and has not been turned over to the homeowner's association, because it's not formed yet.
4. Street Lights. Dan said he is waiting for Rick Wellick, a new type of light that suits what people want there (goes down, but doesn't spread out). The plan is to get them in this summer. Bertsinger asked Dan to send a letter and cc the city to check on the lights (every intersection {private roads too}).
5. Silt Fencing. Residents in the area have concerns about culvert filling up and eroding, flooding neighbors properties. Dan stated that the culvert was flushed today. It was suggested that a rep from MPCA could come in and educate the council on proper erosion control methods.
6. Letter of credit for Riverwood Hills IV. The city has not received a letter of credit from the bank for this development. Dan will send documentation of RWH IV loan cost.
7. Escrow Account. Development agreements indicate the city should be receiving copies/documentation of the escrow agreement. A copy of the quarterly report statement on this along with the septic quarterly report will be sent.
8. Riverwood Drive. There are/were emergency response concerns and a school bus got stuck out there this winter. There were 3 main points brought out by City Engineer and the City has not heard anything back from Dan on it, so they previously turned this road back over to Dan Fitzpatrick.
 - a. Dan will redo the patch around the manhole.
 - b. This problem fixed, and got the breaker run in there so it won't track out on the roads.
 - c. Dan stated he's never put up a bond on a road. Council is concerned because there is heavy equipment using that road. Dan stated that cement trucks are harder on a fresh road. Council decided to wait until RWH IV done and then it will be determined whether or not it is damaged. Dan asked to have the determination done before next winter

D. Cell Phones

Bertsinger motioned to approve purchase of 3 cell phone from Midwest Wireless for the City, Hall second; DISCUSSION; it's at a cost of an additional \$516 per year, and the Clerk can track if another phone could be added in 6 months. Also discussed if it was more important for maintenance or Clerk's office to have cell phone for when they're away from the office; especially for when MnDOT project begins, and it's not

right for Clerk to use personal cell phone for City business. **Ayes: Bertsinger, Hall, Novak, NAYES: McDermott, Keigley; motion carried.**

VII. NEW BUSINESS

A. Engineer Fees (Currently, SEE has been the engineering firm to handle all the City's Engineering needs...they were initially hired to review plats and developments).

Council needs to consider the following questions:

1. Put limits on Projects??
2. Hire an Engineer on a Monthly Basis vs. Project Basis??
3. Receive a pre estimate on projects prior to hiring??

Council stated that some projects are way out of line on the fees submitted by SEE.

Bertsinger motioned that she and Hall confer with SEE on past charges, Keigley second; DISCUSSION: Some engineering charges are billed back to the developers on plat reviews, but not the ordinances. McDermott stated that it seems like the City paid an exorbitant amount of money for the Shoreland Ordinance, and understands it's a one time deal that was time consuming and necessary, but questioned whether the City was charged more than necessary. Novak questioned why the City was paying the engineers for something that they should be knowledgeable in; also questioned why the City is paying the engineers for what they are learning about. Clerk Nymann indicated that a contract wasn't found; Bertsinger will look for an rfp. It was stated that the City is paying SEE to be efficient, and they weren't. **Motion on the table was called for approval; all in favor, motion carried.** It was determined before tonight's meeting that Clerk Nymann and Bertsinger looked at the agenda and determined Council didn't need Steve here for tonight, and that before each meeting it needs to be determined what we want from the engineer. Council will stand firm that developers need to submit items completely and in a timely manner to provide sufficient review from the city engineer, and a checklist is available in the ordinances for plats.

B. League of MN Cities Insurance Trust Waiver Form*

Bertsinger motioned to approve this document, McDermott second; all in favor, motion carried.

C. School District Boundary Lines

This came to light during the recent referendum vote for Pine Island Schools. Novak was concerned about school district boundary lines reflecting a separation of community. He questioned if there was enough interest, if boundaries could be changed, and asked why the boundaries are so haphazard in the city. Bertsinger explained that when Oronoco School closed in the 1970's the decision where kids wanted to go to school was up to parents. Bertsinger stated that she has been contacted by the Rochester school district and they want to discuss boundaries and have a meeting here in Oronoco. The City will not charge them when a meeting is held here.

VIII. ORDINANCES & RESOLUTIONS

IX. PETITIONS, REQUESTS, COMMUNICATIONS

A. 6-18-05 Friendship Wagon Train in Oronoco – volunteers needed
Talked about during DOGR meeting.

X. CONSENT AGENDA

A. MEETING MINUTES:*

1. 4-18-05 Regular City Council Meeting
 2. 4-27-05 Special City Council Meeting
- B. BUILDING PERMITS:
1. Ron Fahrenholdz 1280 Valley View Dr SW New Home
 2. Jason Lee 505 Sunny view Lane SW Deck
- C. FINANCIALS*
1. Council approval report* (bills that need to be paid)
 2. A/P Preliminary Cash Disbursements (bills that have been paid)
 3. Financial Statements (4M Account Summary, Budget)

Bertsinger motioned to approve consent agenda, Keigley second; all in favor, motion carried.

OTHER: Clean Up Day: Volunteers still needed, Ward will be in on Saturday, Juice and rolls will be provided, Hall will pick up goodies for the morning, Bertsinger will do lunch around 11am of hot dogs and burgers.

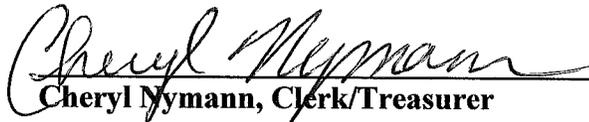
Don Clark came forward and wanted to discuss the completion of paving 7th St SE. Bertsinger stated that this should have been brought up in the Public Comment section.

X. ADJOURNMENT

Hall motioned to adjourn, McDermott second; DISCUSSION: It was stated that maybe Don Clark didn't understand public comment awhile back on the agenda. Clerk Nymann will send him a copy of the meeting minutes when 7th St SE was discussed at a previous Council meeting. **All in favor, meeting adjourned at 9:30PM.**

Respectfully Submitted:


 Joy Bertsinger, Mayor


 Cheryl Nymann, Clerk/Treasurer