

**Regular City Council  
Meeting Agenda  
Monday, June 20, 2005  
7:00PM**

**I. CALL TO ORDER**

Mayor Joy Bertsinger called the meeting to order at 7:00PM

**II. ROLL CALL**

Present: Joy Bertsinger, Scott Keigley, Tom Novak, Jackie Hall, Scott Keigley, Attorney Tom Canan, Clerk Nymann, and members of the Community.

**III. APPROVAL OF AGENDA** *(these additions happened late last week, and need council's attention and direction)*

Additions: VII. E. Website Discussions

AA. Clerk's Report

1. There are currently 2 Variance Requests before Board of Adjustment
2. John Hagebaum, property on 5<sup>th</sup> St NW *(how shall the City proceed with this?)*
3. Property on South MN Ave. (old VanKirk property) / Grading/Building Permit *I currently have a call in to Floyd Whittaker questioned grading on this property. How does the City want to proceed with this?*

Deletion: IX. D. Letter from Mary Ippel

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

**III.5. 2004 AUDIT – Thomas Cummings**

- ⇒ New requirements from the state auditor's office have made the audit difficult. One of the new items is the Management Discussion & Analysis, which is a city prepared document included in the audit. This document is the City's discussion with the citizens and is understandable so whoever picks up the audit and reads it can see what has happened to the City. Items of his discussion were:
- ⇒ P. 9 fixed assets included and being depreciated this year; (measuring the City's asset with road improvements). Also, measuring the City's debt (bonds).
- ⇒ P. 11 & 12, more traditional measurement for cities; assets and liabilities shown by funds. Also new are major funds and non-major funds. The general fund is always considered major, as well as the fire department for this year because of the activity with the purchase of the fire truck and equipment. WAC & SAC are major because of it's number. Street improvements considered a major fund because of size.
- ⇒ P. 14 & 15 revenues and expenses on a cash basis. City of Oronoco does a very good job with it's budget. Budgeting process working very well.
- ⇒ Special assessments (WAC & SAC) assessments recalculated because changes in the development agreements for Riverwood Hills, and it ended up being a reduction in those special assessments.
- ⇒ All work done on the streets with a portion being paid for from bond proceeds and part paid for from previous years setting it aside; and it worked out well.

- ⇒ P. 16 schedule reconciling from old financial statement to the new financial statement. The bridge should be considered in the budget for the next couple of the years.
- ⇒ P. 35 retained the reporting model from previous years. The state is trying to accumulate everything together. Doesn't work well for small cities. Detailed statements by funds.
- ⇒ P. 33 starts general fund. Final budget vs. actual amounts shows the budget is working.
- ⇒ Delinquent taxes are non-existent for the city of Oronoco.
- ⇒ Reimbursements from developers for engineering and legal fees. Revenues appear greater because of those reimbursements, and well under budget. Clerk's office budget on target.
- ⇒ Other general government, the planning and zoning appears over because of some surveying done by the City. Reimbursements, keep out of general fund; special revenue fund; not a budget for it; money coming in spend out of that special fund; Public Safety, police protection cost has been flat for five years; public safety, 1<sup>st</sup> Responders and fire department are under budget.
- ⇒ P. 37 totals. Public works harder to track budget, reimbursable, street funds, come into play.
- ⇒ Cultural & Recreational nothing of significance there.
- ⇒ P. 39, budgeted 11,000 deficit; positive revenues of \$52,000. Transferred money out of general fund to special fund.
- ⇒ P. 40 showing how to bring smaller funds of city together.
- ⇒ P. 46, each fund shows separate statement of revenues and expenditures; (esp. DOGR). Still using fund accounting with these statements. These are readable statements for Council and public. FD and 1<sup>st</sup> R presented as one (Cheryl has them separated out in the office).
- ⇒ Transfers, and motions were good on Council's part.
- ⇒ P. 9, net assets, restricted (bond payment money set aside); imposed on city by outside sources. City Council has the ability to redirect money, how they feel it is needed within the budget. DOGR money specified, but the city has discretion over it. Segregation of duties will be easier now with 2 people in the office; part of Tom's job is to look over the transactions to make sure disbursements are what Council has approved to pay.
- ⇒ Audit adjustments: a fair amount had to be made. Difficulties had in doing work, cash and reconciliation from bank statement to general ledger needs to be done in more detail. Transactions were there, because of change over with the asyst accounting software. Posting with asyst didn't occur, program error. Accounting didn't work with asyst at all. Tom re-keyed it all into the old system. Difficult to start new financial software mid-year. Recommends a new accounting system. Going back to quick books pro (doesn't do fund accounting) have to do manually; keep separate bank accounts, so have to transfer from one fund to another. A little bit more work. Sandy would have to be bonded if she does some 'bookkeeping'.
- ⇒ 1<sup>st</sup> Quarter of '04. Reporting of a W-2 done for an employee was done incorrectly.. Cheryl will work on this. Capital assets, prior to 2004 the City didn't get a list.
- ⇒ Land list incomplete, Cheryl will work on putting this together. Will need to reconstruct, donated land value. Other capital assets have a good list together. Infrastructure, city recorded that value 2004 and forward-don't have to come up with past records for that. Audit is finished, getting it to the state. They will get a printed copy and an electronic version. **JB motioned to accept financial statement 2004; Hall second; Novak, would like a copy sent electronically; all in favor, motion carried.**

#### IV. CITY DEPARTMENT & COMMITTEE REPORTS

##### AA. Clerk's Report

1. There are currently 2 Variance Requests before Board of Adjustment  
The Board of Adjustments is short one person with AL Hanson moving away, and the City needs one more person on it. Bertsinger suggested Brian Breider, Canan stated it was not a conflict to have someone from P & Z, JB will appoint him, and if he doesn't accept, then the city will find someone else. **Bertsinger motioned to approve appointing of Brian Breider to the Board of Adjustments; Novak second; all in favor, motion carried.**
2. John Hagebaum, property on 5<sup>th</sup> St NW (how shall the City proceed with this?)  
Clerk Nymann stated a letter has been sent for advance notice along with the ordinance to get their yard get cleaned up. **Bertsinger motioned to proceed and assess property for the clean up; ; Bertsinger withdrew motion. DISCUSSION:** Should city hire it out or use own equipment to clean up lawn and garbage on the property? For the garbage, resend letter for garbage, along with a copy of Ord. 131; which gives written notice and 5 days and do it all at one time; give extra notice, (suggested 10 days), whoever is contracted to hire will have to go around it. **Keigley motioned to have Clerk contract out the mowing and send them a request for reimbursement for clean up and send letter about garbage; McDermott second; all in favor, motion carried.**
3. Property on South MN Ave. (old VanKirk property) / Grading/Building Permit /  
*Currently have a call in to Floyd Whittaker questioned grading on this property. How does the City want to proceed with this?* Clerk Nyman notified county, and questioned MPCA concerning the wetlands issue; there is now silt fence there and it is staked out where wetlands begins. Jonathan Pahl was present and stated that Steve Lawler has the MPDS permit and will get a copy of it to Clerk Nymann. Bertsinger advised these discussions take place with Cheryl. It was noted that the property is not currently subdivided in any way. Council questioned if the work on the upper half, would affect lower half. The City needs a ruling from Corey at the DNR. Grading stops and building permit won't be issued until all the issues are clear between all of the parties involved. Clerk Nymann will notify Council when issues are solved.

##### A Personnel Committee

1. Exit Interview for Ward Field FYI
2. New Hire, Kent Nymann, Maintenance/Groundskeeper FYI

##### B. Olmsted County Sheriff's Office

1. Need a plan for dog ordinance enforcement  
Suggested that clerk's office contact Pine Island, Mazeppa and Oronoco Township and New Haven Township to see what they have in place and work with them.

##### C. Fire Department

1. They took 2<sup>nd</sup> in water fight In Pine Island..
2. John stated they are working with 1<sup>st</sup> responders to get rid of blazer and replace with a pickup; because the blazer isn't dependable (the Blazer is from the DNR, and would be returned to them). Council asked; how he would be using it. It would be used for hauling equipment, hose, personnel, mud runs, etc.

3. Burned a pile for Wangsness (Caryl Cowden' old house) and they donated \$100 to the relief association to use towards a picnic.
  4. Clerk Nymann discussed NIMS and that it is a requirement for all cities to be trained if they want to receive ANY federal money (grants, etc.) Clerk Nymann and John will work the training out for this.
  - 5.. Illegal burning at 720 Tree Top LN SW  
City Hall received a complaint of a resident in Woodsvievw burning garbage, and they have no burning permit to begin with. John will go out and talk to the family and tell them burning garbage is not allowed in the City.
- D. 1<sup>st</sup> Responders
1. 13 Calls: 6 Township, 7 City
  2. Gwen is continuing her attendance at the 800 MHz meetings; the cost for installation fees for this systems has not been determined yet; and the implementation date is forecasted around late Nov. – early Dec. The radio purchases funded by a grant which Olmsted County received. Bertsinger suggested for Gwen to contact Judy Ohly, she's our Olmsted County commissioner for assistance on this project..
  3. Fleet mapping meetings with Olmsted County for the 800 MHz radio  
Next meeting will be June 16th
  4. Mayo 1 will be here for NNO 6:30PM
  5. Bertsinger thanked 1st Responders for their prompt response and wonderful care given to her son.
- E. EOC
1. There were a couple of severe weather events. Novak noted it is difficult for one person to be at the fire station for emergency event. He is speaking with EOC directors with other towns too see how they handle it; it's always been a non-paid position. Flexibility to this position is a key, and questioned where command center should be. Fire Department and EOC need to sit down and discuss.
- F. Streets & Roads
1. Cart Path – email from Tom Canan  
There are arguments both ways concerning whether this is a city street or a cart path; Canan stated that MnDOT's case is stronger. MnDOT does not have to improve this road even though they're doubling the use of the road. A precedent has been set as being a City Street because it's been maintained for 6 years or more. A suggestion was to get the existing property owners to deed over the city's ROW (like Stolp's cove). **Bertsinger motioned to accept ruling by MnDOT and accept the street assigned as 5<sup>th</sup> St SW; Novak second; DISCUSSION;** Keigley suggested having the city engineer look at it and to make MnDOT responsible for a portion of improving the street because they're the one's taking away the Stolp's access with the Hwy. 52 reconstruction project. Carl Stolp asked for improvements on the street because it is a City street. Bertsinger reminded him that the City taxes did not go up for blacktop project. Township plowed snow back just like the city does now when the city got incorporated. Keigley voiced a concern that the City is laying down for MnDOT and not pursuing this. **NAYES: Keigley; AYES: Bertsinger, Hall, McDermott, Novak, motion carried.**  
Drainage and width are concerns; but need dedicated easements from property owners. City needs to find the center line; and 3 culverts; water runs to the east, and into county row which would need improvement. Also questioned how much land is needed for the drainage? City clerk will send letter to property

owners asking for them to bring in any current copy of surveys of land; how much width would they be prepared to dedicate for the ROW and culverts. Clerk Nymann will make copies of the surveys and get together with Larry and engineer. Also discussed was that 1 year ago that all property owners of this area were in favor of getting road improved when petition became before the city. Mark Stolp knows where the property line is along with center line of the road, from his abstract.

#### Tree in City ROW

Larry stated that trimming of trees in city ROW and overhanging on road is necessary (on 3<sup>rd</sup> St NW). Other streets have overhanging branches as well. Scott will do a ride along with Larry to determine which ones need to be trimmed. Rochester Township will be contacted to complete the needed mowing and trimming and it will be paid out of contracted services on the budget line item.. **Bertsinger motioned to contract with Rochester township to mow designated areas and have Larry and Scott do a drive through and see what weeds need to be done; Hall second; all in favor, motion carried. Bertsinger motioned to work with tree trimming Hall second; DISCUSSION: Figure out what needs to be done and accept bids with it; all in favor, motion carried.**

#### G. Parks & Trails

##### 1. Information & requests from Park Committee\*

Met with 3 vendors for playground equipment; Rochester has helped identify vendors;

### **Oronoco Parks Committee**

### **City Parkland Review and Requests**

### **Requested Action Marked with a \***

The Oronoco Parks Committee offers the following information for the June 20 council meeting.

#### **INFORMATION**

- a. We will continue to meet with playground vendors and will have RFPs available for review at the July City Council meeting.
  - i. Seek playground structure & swing set RFP for Riverwood Hills – Target \$15,000-20,000
  - ii. Seek unique playground structure and swing set for ball diamond – Target \$6,000
- b. Kent Nyman has joined the Parks Committee
- c. Work will continue on rehabilitating the ball diamond and volleyball area
- d. We have not been able to find anyone to volunteer to run a league
- e. Would like council input on pedestrian crossing at HWY 52

#### **ACTION REQUESTED\***

- a. \*Authorize the Parks Committee to meet with JECH to plan for park areas in Riverpark neighborhood. JECH has an interest in developing the parkland jointly with the Parks Committee.
- b. \*Layout trail in Riverwood Hills Park and begin development, Target Cost: Authorize up to \$200 from park funds for this project.
- c. \*Work on volleyball area and baseball diamond at West Ball Park. Authorize up to \$300 for this project.

- d. \*Cowden Park – Clean up (remove trees and stumps) – Authorize up to \$500 for this project.
  - i. Place picnic tables and explore adding a grill – Authorize up to \$250 for this project.
- e. \*Community Center Park
  - i. Border swing set area – Authorize up to \$250 for this project
  - ii. Paint swing set, backstop and BB posts
- f. \*Authorize the Park Committee to begin a naming process for the West ball diamond and begin to gather community input.

There have been discussions with Jech Development about them helping improve the playground in their parkland dedication.; improvements include a basketball court, horseshoe pits, parking lot, replace shelter; (these are outside their ordinary parkland dedication). They've been good to work with, and offered to do in kind work with installation of park equipment.

- 2. Riverwood Hills Park dedication  
There's a lot of rock & it needs to be mowed
- 2. Caryl Cowden Park  
Grills for \$150 to \$175

**Bertsinger motioned to authorize A-F of the Action requested items above, McDermott second; all in favor, motion carried.** DISCUSSION: There's park maintenance needing to be done, at community center, volleyball court, ball diamond, and take it out of the Parks budget as long as it is in the budget. Consideration also needs to be done for next year's budget.

#### H. Planning & Zoning

##### 1. Future Land Use Plan

Novak asked that before P & Z works any further on this they want to know what the Council thinks about revisiting this. P & Z pressing to get it resolved so they know where the town is headed. Mayor asked for input from the Council.

##### a) Joy Bertsinger

- o Concern about going so far east without having water & sewer plans,;
- o Likes the change of adding R-2 and R-3;
- o Cluster (town homes) can be done nicely,
- o Designation done through ordinances for B-2
- o Having input from an architectural control committee,
- o Likes park buffers, but put R-2 instead of parks along the buffer, keeping in mind if buffer with parks there needs to be financing and maintenance with them;

##### b) Jackie Hall

- o Likes government center put back downtown,
- o Other than that, she likes it the way it is.

##### c) Scott Keigley

- o Stressed that he thinks this it's a waste of time. Stated R-2,R-3, business need city sewer and water and the city has already spent enough time on it previously;
- o The future land use plan was just completed a little over a year ago and doesn't see the need to go over this now.

- d) Kevin McDermott
  - o Questioned how this would be done without city water and sewer.
  - o If developers putting in buffers zone, why not have businesses do it too?
- e) Tom Novak
  - o Stated the issue of no water and sewer has come up, and that it's just a vision that having city water and sewer becomes a reality.
  - o Currently they are working with Sheila now on options for the city. City water & sewer may never be needed for the whole city.
  - o Novak stated the current future land use plan is misleading, and it should be repealed. If City is not going to change city water and sewer, then future land use plan should be repeal it.
- f) Clerk Nymann commented that the current land use plan couldn't be repealed without a replacement because it is tied to so many different things, such as the orderly annexation agreement with the township.

Also suggested were smaller community wastewater systems for east side of city; getting conceptual drawings (systems different for diff. type of land uses). Novak will take comments back to P & Z and schedule a public hearing. Keigley views this plan as cost prohibitive, and a waste of time.

- 2. Comprehensive Plan
  - Currently not adopted, but assumes city water and city sewer.
- I. Community Center
  - 1. Recommendations from Committee\*
    - Gutters should be considered as a top priority for old portion of building*
    - The committee highly recommended the gutters to be done immediately and fascia boards wrapped in aluminum to protect structures now before we get historical designations on building. Council asked Clerk Nymann to send letter to Township to donate \$3,000 and state improvements with thoughts of a sign. Committee would want to proceed with gutters as soon as bids come in. **Hall motioned to let CC Committee use the \$5,000 toward gutters and sound system updates immediately, Novak second; DISCUSSION: Also a letter sent requesting monetary help from Oronoco Township and if any is given to have it put back in CC Special Fund; all in favor, motion carried.**
- J. Downtown Oronoco Gold Rush
  - Nothing to report
- K. Water/Sewer
  - 1. Meeting held Tuesday, June 14, 2005\*
    - Water Sewer Committee Meeting; need members for committee (Terry Lee with Olmsted County water);
  - 2. Next meeting will be July 26, 2005
- L. Lake Shady
- M. Highway 52
  - 1. Frontage Road
    - a. Letter from Mike Bubany
      - After discussion with MNDOT this project is not ready to make any recommendations concerning financing; this project does not need to be let for this year. It would be better to do this road later in the Hwy. 52 reconstruction project. Asking price considerably high with what MnDOT has been paying. Keigley asked if MnDOT could do some negotiations for the city with this property. This letter will be talked about at the next council meeting.

## V. PUBLIC FORUM

Called for public comment 3 times, no one came forward.

COUNCILBREAK

## VI. OLD BUSINESS

- A. Meeting with SEE with Joy and Jackie concerning previous billings. Worked out details and got adjustments. The City will have estimates from SEE for future plat reviews. If not complete, plans will not be reviewed and a letter sent to the developer stating the review process has not begun because of incomplete plans. They will also put together a list to give developers to save time and money. There needs to be more enforcement on the city's behalf concerning developers; along with a clear and concise checklist that comes into the city.

## VII. NEW BUSINESS

- A. State Demographer 2004 Population and Household Estimates  
**Bertsinger motioned to accept the 2004 Population and Household Estimates from the State Demographer's Office for the City of Oronoco, Keigley second; all in favor, motion carried.**
- B. Armin Schrimpf requests taking dead oak trees in Caryl Cowden Park  
Some questions asked: Does the lumber have any value? Is there a detail listing of what he wants, and does he have insurance? Also, there are some good trees up there that have value, but they should be thinned out. The City should solicit others to come in and bid and shouldn't be giving it away. Referred to Parks Committee for their recommendation. Armin was willing to take trees the City needs to get rid of. The Council doesn't want to pay for something that someone is willing to take. The Parks committee will give a recommendation by the next meeting.
- C. Request from Kelly Parker\*  
Inform about next year's budget. The tubes are in bad shape. Clerk Nymann will get Kelly's phone number to Keigley and he will call him about the tubes. **JB motioned to authorize up to \$200 out for repairs; McDermott second; all in favor, motion carried.** Suggested to request an increase in funds for fireworks from DOGR for the 2006 4<sup>th</sup> of July Celebration.
- D. Property Taxes  
Clerk Nymann received property tax notices on the parkland that has been dedicated over to the City from the Riverwood Hills developments. Clerk Nymann will call Dan Fitzpatrick. The City should not be financially responsible for the taxes.

## VIII. ORDINANCES & RESOLUTIONS

- A. RESOLUTION 05-06 (Sale of City Land For Hwy. 52 Reconstruction)  
**Bertsinger read summary, and motioned to approve Resolution 05-06; McDermott second all in favor with voice vote, motion carried.**
- B. RESOLUTION 05-07 (Gallie Zone Change to B-2)  
**Bertsinger motioned to approve Resolution 05-07, McDermott second; all in favor with voice vote, motion carried.**
- C. RESOLUTION #05-08 (Negative Declaration on RWH EAW)  
This was approved earlier; however the resolution didn't have a number on it.  
**Bertsinger motioned to approve Resolution 05-08, McDermott second all in favor with a voice vote, motion carried.**
- D. Resolution #05-09 (NIMS)  
**Bertsinger read the summary and motioned for approval of Resolution 05-09, Hall second; all in favor with a voice vote, motion carried.**

*The content of all of the above resolutions have already been approved, they were not assigned Resolution numbers by Council yet.*

## **IX. PETITIONS, REQUESTS, COMMUNICATIONS**

- A. Letter from Canan about Court file No. C9-04-1893  
Has been going on for a couple of years. Difficulties with titles, the city has no outright ownership or easements.
- B. Letter to John Hogebaum, Property located @ 325 5<sup>th</sup> St NW
- C. Note from John & Olive Campbell  
Campbell's wanted to blacktop the gravel shoulder of road by their house, and Bertsinger advised them that the city is not responsible for it if it is done. Council, Canan suggested a policy be put in place on this topic for future considerations. Discussions indicate that it should not be done, even if the homeowner is willing to pay for it. The city could become liable for it. They are doing work on property that is in the city's row. **Keigley motioned to advise residents not to blacktop the shoulders. McDermott second; all in favor, motion carried.**
- D. Letter from Mary Ippell

## **X. CONSENT AGENDA**

- A. MEETING MINUTES:\*

  - 1. 5-12-05 Public Hearing Meeting Minutes
  - 2. 5-12-05 Special City Council Meeting Minutes
  - 3. 5-16-05 Regular City Council Meeting Minutes
  - 4. 6-8-05 Special City Council Meeting Minutes
  - 5. 6-14-05 Special City Council Meeting Minutes

- B. BUILDING PERMITS:\*

  - 1. McDonough 1090 Riverwood Dr SW Deck
  - 2. Clerk Nymann will discuss 2 other building permits in the office that are awaiting Council recommendations (1 for RWH IV & 1 for ZVC)  
Clerk Nymann will notify Dan Fitzpatrick and the Builder that their building permit is denied until written notification from MPCA on drainfield issue has been taken care of. Question arose whether this involves replatting drainfield schematics Bertsinger suggested to have Clerk send a letter requesting written documentation. A concern arose on all the developments, and Keigley asked at what point does the city stop developments (supply out running demand). Transformation from residential to business development may be happening.

- 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)

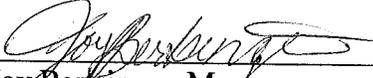
**JB approve consent agenda with meeting minutes with noted changes and pulled 2 bldg. permits SK second; all in favor, motion carried.**

**Website discussion:** Novak wants to put links on website to the developers; and link to businesses/. Council stated that the City's web site wasn't designed to advertise for developers. They could be put on a business page with a link to their business. It was stated that the City cannot show favoritism with businesses. Novak suggested advertising Oronoco on a billboard on Highway 52. It was suggested that it would be very cost prohibitive to advertise on highway 52 with a billboard. Then it was suggested to put advertising on a city sign (which will need to be moved after construction (along with the one at JC's).

**X. ADJOURNMENT**

**Bertsinger motioned to adjourn at 9:58PM, McDermott second; all in favor, motion carried.**

Respectfully Submitted:

  
\_\_\_\_\_  
Joy Bertsinger, Mayor

  
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Cheryl Nymann, Clerk/Treasurer