

**CITY OF ORONOCO
REGULAR MEETING MINUTES
July 19, 2004
7:00 PM**

I. CALL TO ORDER

The meeting was called to order at 7:10 PM by Mayor Jason Ottman

II. ROLL CALL

Present: Jason Ottman, Joy Bertsinger, Scott Keigley, Kevin McDermott, Dick Nelson, Clerk Nymann, Attorney Canan

III. APPROVAL OF AGENDA (Additions/Deletions)

ADDITIONS:

VII. E. 1st St. SE

X. D. Cat & Dog Ordinance

X. E. Tilly's RV Park

XI. C. Parks

IV. MEETING MINUTES

- A. 6-14-04 Special CC Meeting Minutes
- B. 6-21-04 Regular CC Meeting Minutes
- C. 7-7-04 Special CC Meeting Minutes
- D. 7-12-04 Special CC Meeting Minutes

Bertsinger motioned to approve minutes, Keigley second, all in favor, motion carried.

V. FINANCES

- A. Asyst (New Financial Software) is completely installed, but am waiting on the Updated 10.0 version (currently running 8.5 version); so, you will receive this months finances on QuickBooks yet
- C. Approval of Financial Statements
Ottman motioned to approve, McDermott second; all in favor, motion carried.
- D. Approval of Bills
Ottman motioned to approve, Keigley second; all in favor, motion carried.
- E. Addition to the Bills
None

VI. BUILDING PERMITS *

- A. Rafal Konik 305 7th St SW Addition
- B. Rob Broberg 945 Cedar Pt. LN SE New Home

Ottman motioned to approve, Nelson second; all in favor, motion carried.

VII. REPORT OF OFFICES, BOARDS & COMMITTEES

- A. Olmsted County Sheriff's Department

Nothing to report

- B. Fire Department – John Stolp

- 1. Brush Pile will be burnt by fire department
- 2. Old tanker was picked up by Deep South today
- 3. Ordinance #113, changes need to be made, and they are:
 - a. Sect. 9. Subd. 1. delete “no more than 70 years of age”
 - b. Sect. 9 Subd 3. change physical exams are every year
 - c. Sect. 12. change the fine from \$700 to \$1,000

Cheryl and John will work together on implementing the collection for charges

McDermott motioned to approve these changes to the Ordinance, and bring it back to the next Council meeting, and then publish; Ottman second; all in favor, motion carried.

- 4. Repeater Antenna

John indicated the fire department and the first responders are willing to take money out of their special funds budget to pay for the antenna. **Bertsinger motioned to take \$1,500 out of the 1st Responders Regular Special Fund, and take \$3,500 out of the Fire Departments Regular Special Fund to purchase the antenna, Keigley second; all in favor; motion carried.**

- C. First Responders – Jerry Lubahn

No Report

- D. EOC – Dennis Blanck

Received map from DOGR for roadways during the event.

- E. Streets & Roads

- 1. Additional Road Costs for Paving Bertsinger worked with Steve Voight on the costs; looks as if there will be a \$35,000 overrun. Discussed was not doing a second lift on a number of the streets, figuring out if Council wants to go over budget before which jobs were done, clarification that Rochester Sand & Gravel began work before contracts were signed, who authorized that?, City doesn't want to loose the contract price because it's so reasonable, why an alley was done before City streets, concerns from numerous residents about shouldering, portion by Lutheran church will not be done in the future, and contract issues.

If some roads only get one lift, and additional roads are added, leaving the total tonnage the same, there shouldn't be any problems with the contract.

A brief recess was called at 8:05 PM to call the City Engineer to set up a meeting date with them, the contractor and Council to discuss the streets.

Meeting called back to order at 8:10 PM.

There will be an Emergency Council meeting tomorrow night (Tuesday, July 20th) at 6:00PM to discuss streets and roads with the contractor and engineer.

Discussion continued on specific roads:

1st Ave SW: Maximum 12' wide, single 2' lift, some prep work needs to be done

2nd St NW: Want to keep it strong enough because it receives a lot of traffic and emergency vehicles use it a lot. Received bid of \$7,703 which included prep and paving.

2nd Ave NW: 15' Wide, Stolp said the 2½" will carry that street because it's solid; Council would like a bid both ways, with a 2½" base and with the full 3½" base.

2nd Ave NE: **Bertsinger motioned to not continue paving this from the point where it is now completed to County 12, Ottman second; all in favor, motion carried.**

West Center Stub: 12' wide, 2" lift, 1 lift

1st PL SW: 700' Long, 14' Wide; it was noted that there will need to be some prep work done, trees that need to be trimmed back (there's money in the regular budget to do that); cul-de-sac at end of road discussed; get a price on both ways.

4th St SE: Go with 12' wide and a 2" lift

7th St SE: Questioned why go any further because there's a proposed GDP at Planning & Aoncing for annexation and the heavy equipment would be tearing it up anyway. Asking for bid anyway, on 246 L with a 12' width.

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Concern about speeding on West Center street with the new paving. Discussion included possible speed tables, and stop signs; it was indicated that Mike Sheehan at the County could give us some insight into this.

2. 1<sup>st</sup> Place SW – Aileen Christensen  
Aileen's attorney suggested that the resident along this street deed the existing ROW to the City. **Bertsinger motioned that a resolution with deed of ROW as set forth by Vince Fangman deed to the City, they accept and it will be considered a public road, Keigley second; all in favor, motion carried.**
3. 1<sup>st</sup> St SE  
Easement for 10' on South side of st on property owners. They need to have their signature notarized (by Cheryl) and Canan added language about mortgage which should be found at the county. Clerk Nymann will complete this process.

#### F. Community Center

1. HAVA Grant & Awning & Light at CC Entrance  
Clerk Nymann stated that she received the HAVA Grant 'oversized' check in Plainview MN from Secretary of State Mary Kiffmeyer and Rep. Bill Kuisle. The City of Oronoco was the only city in Olmsted County to receive the grant, as was Plainview in Wabasha County. The coordination of footings (for the awning) should coincide with the work done with the HAVA Grant. The HAVA grant should be completed by elections this Fall. The City will receive reimbursement after work is completed. During the discussion, Mrs.

Berg stood up and suggested giving Clerk Nymann a round of applause for her efforts in securing this grant. Clerk Nymann thanked them. **Bertsinger motioned to proceed with this project using money from the CC Special Funds Account and the HAVA Grant to complete this project, McDermott second; all in favor, motion carried.** Discussion on whether a building permit needs to be issued. Clerk Nymann will discuss with Lyle.

2. Awning @ Shop Update

Clerk Nymann reported that Ward ran into difficulties with the wood up at the shop and will need to purchase new to do the awning.

3. Chainsaw

Clerk Nymann reported that the current chainsaw is pretty beaten up and worn out; Ward has an estimate on two chainsaws and would prefer the Farm Boss Stihl one. There is money in his tool budget to purchase one. **Keigley motioned to have Ward spend the money on the Farm Boss Stihl Chainsaw; McDermott second; all in favor, motion carried.**

G. Planning & Zoning

1. Whittington Acres Final Plat & Development Agreement (Title Opinion received from Attorney Canan)

Matt with GGG present. Matt stated he's been working with Clerk Nymann and Canan on the development agreement. The E911 addressing fees, and roadway name changes have been taken care of. Canan had some issues to discuss with Matt, which were:

**\*\*ROW:** Matt indicated that the development dedicated 50' on their side.

**\*\*Jeff Dr NE:** Just wanted to make sure that the City is seeing this in the future; City's comment was that this is what the engineer and City decided.

**\*\*Access Easement to Outlot C:** It's a 12' crushed rock access down to it, and will be recorder after final plat is done; Canan wants this addressed in the development agreement.

**\*\*Storm Water Ponds:** Canan recommends a special fund for pond Maintenance be set up (clearly stated not for the construction, but for the maintenance). Matt stated that if it's well constructed (cleaned up after construction), there shouldn't be much for a maintenance issue. Council questioned what other towns charged for pond maintenance. Clerk Nymann will put the question out on listserv, and bring back results at tomorrow nights meeting, adding this to the agenda. **Keigley motioned to table Whittington Acres Final Plat and Development Agreement until tomorrow nights meeting, Ottman second; all in favor, motion carried.** Clerk Nymann will bring info from listserv about ponds to the meeting.

2. RWH IV Annexation

Planning and Zoning approved the preliminary plat and annexation but had a concern. Paul Pendergrass was present and discussed the pond on the backside of lots 1, 2, and 3.

**Ottman motioned to table this until Council could speak to Dan about it in the meeting in August, Keigley second; all in favor, motion carried.** Clerk Nymann was instructed to get a preliminary plat that didn't have the contour lines drawn on it.

3. Meeting with Dan F., Bill. T., Tom C., Council = August 4<sup>th</sup>

**IX. ORDINANCES & RESOLUTIONS**

Nothing

**X. OLD BUSINESS**

A. Orderly Annexation Agreement with Township  
Tabled until the August Meeting.

B. People's Co-Op Franchise Agreement  
Canan had the following suggestions:

\*\*There are no provisions in it for franchise fee to offset costs for administering.

\*\*The period should be shorter than 20 years.

\*\*Section 3.3 should state within a reasonable period of time.

\*\*Section 4 there are typos.

\*\*Section 6 should state that the City shouldn't have to pay for moving if they have a legitimate reason.

\*\*Section 7 questioned what was reasonably hazardous.

\*\*There should be a signature line for the Clerk.

**Keigley motioned to have Canan send a letter to People's Co-Op with these changes, Ottman second; all in favor, motion carried.** DISCUSSION: It was suggested by Council that in lieu of a franchise fee, maybe People's Co-Op wouldn't charge for DOGR connection fee. Clerk Nymann is to put over listserv what other cities have for a franchise and the period of years the agreement is for. To be discussed at next regular Council meeting.

C. Pine Island Telephone Franchise Agreement

Canan had comments and talked through them. Nelson stated that before signing the franchise agreement, City and Rick need to sit down and look at the future. A public meeting will be held so the people can sit down and have an opportunity to be heard. Canan will first share his concerns with PI Telephone and then they can come ready to talk.

D. Cat & Dog Ordinance

Questioned about grandfathering in more than 3 pets prior to the new Ordinance which requires an owner with more than 3 pets to be licensed as a kennel. **Bertsinger motioned to grandfather in pet owners that have more than 3 pets prior to the new Ordinance, Keigley second; all in favor, motion carried.**

E. Tilly's Tavern

Mark has talked to individual Council members and discussed that there will be numerous lights in the RV Park, and will mention the alternate route to access Highway 52. City needs to follow through with this, requesting his presence at the September Council Meeting.

**XI. NEW BUSINESS**

A. MCFOA Regional Meeting in Winona for Clerk ~ July 22<sup>nd</sup>

Clerk Nymann indicated she has gone to all the other Regional Meetings, and if she is caught up with some work, she would like to attend this meeting; she would be out of office all day

- B. Loss Control Inspection results from LMC  
 Clerk Nymann reviewed the letter sent from Mark Casey, Loss Control Consultant from the League of Minnesota Cities Insurance Trust. He was down to survey all City facilities, and he found only 2 areas that he made recommendations for: confined space entry and chain saw safety. Clerk Nymann purchased the chaps and headgear that addressed the chain saw safety concerns. The confined space entry concerned the well house. Clerk Nymann is currently present whenever Ward has to go down into the well house (League considers this a 'team member'). Other issues are: there should be a metal ladder attached to wall (currently a wooden, stand alone one there for entry); there needs to be a water tight fixture from the power cord; a flush valve has to be repaired; and the pressure switch and tank needs to be looked at. **McDermott motioned to have Ward and Kent Nymann look at and make repairs needed to the well house, as Mark has suggested, Ottman second; all in favor, motion carried.**
- C. Parks  
 Keigley noted the need for Park Equipment on the West side of the highway. Also, there are golf divots all over the Community Center lawn. The safety of children was also addressed when they're using th CC field for a driving range. **Ottman motioned to have Ward place signs in appropriate areas indicating that golf should not occur on City property, McDermott second; all in favor, motion carried.** The development of parks and playground will be discussed with Dan F. in his meeting also.

**XIII. PUBLIC FORUM**

Discussion of when Jason will be moving to his new home outside of City Limits, and how it will effect the vacancies at election time. **For election purposes**, there will be 2 – four year terms for Council; a 1 – two year term for Council; and a 2 year Mayoral position open for Elections this Fall.

Mayor Ottman Closed the City Council Meeting to discuss a legal matter at 10:30PM.

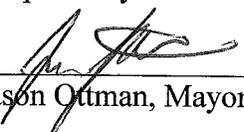
**XIV. CLOSED SESSION**

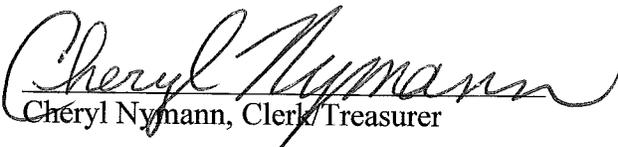
Mayor Ottman Opened Council Meeting at 10:55 PM stating that the city reviewed information it received about the sign and has not taken any action in this matter.

**XIV. ADJOURNMENT**

**Ottman motioned to adjourn the meeting at 11:00PM, Keigley second; all in favor, motion carried.**

Respectfully Submitted:

  
 Jason Ottman, Mayor

  
 Cheryl Nymann, Clerk/Treasurer