

CITY OF ORONOCO
REGULAR MEETING MINUTES
June 21, 2004
7:00 PM

I. CALL TO ORDER

The meeting was called to order at 7:05PM by Mayor Jason Ottman.

II. ROLL CALL

Present: Joy Bertsinger, Scott Keigley, Kevin McDermott, Dick Nelson, Jason Ottman, Clerk Cheryl Nymann, members of the community

Absent: City Attorney Tom Canan

III. APPROVAL OF AGENDA (Additions/Deletions)

Council has a list of additions and deletions from Clerk Nymann. **Ottman motioned to approve the additions and deletions to agenda, Nelson second; all in favor, motion carried.**

The first responders were moved up on the agenda, and Jerry Lubahn reported the following:

1. There were a total of 7 calls, 5 township and 2 city.
2. Jerry has one new member to approve: Carol Lubahn-Friederichs. Classes will begin on September 2nd. **Bertsinger motioned to approve Carol Lubahn-Friederichs pending background check, Nelson second; all in favor, motion carried.**
3. Jerry explained that he attended the Gold Rush meeting and asked if they would be willing to install an outside water spigot on the fire hall. He said the Gold Rush Committee would pay for it if the Council approved it. **Nelson motioned to approve putting in an outside spigot at the fire hall, Ottman second; all in favor, motion carried.**

IV. MEETING MINUTES

A. 5-17-04 Regular City Council Meeting Minutes

B. 5-27-04 Special City Council Meeting Minutes

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

V. FINANCES

A. 2003 Audit – Tom Cummings

Some points that were brought out in the audit were as follows:

1. Cash equity position is strong along with money set aside for big projects.
2. Budget process for the City seems to be working out well.
3. Costs of general government is on track and spent less than the previous year. Positive trends. The City was not adversely effected by the LGA cuts.
4. Public Safety had a positive outcome.
5. Public Works was comparable to 2002.
6. Cultural & Recreational had a positive budget variance.

7. Special Revenue Funds holding healthy cash balances. There were some problems with the record keeping (some deposits weren't recorded in Feb./March last year; and the new Clerk was unfamiliar with the Spec. Rev. accounts). But, it all got worked out.
8. Next year the reporting will be a bit different ~ there will be an inventory of fixed assets for the 2004 audit, and Tom suggested we work with our insurance agent on this. The Clerk will also have to prepare a 'management letter' to the State Auditors office next year.
9. The City Auditor complimented Clerk Nymann and the City stating that they are doing an excellent job handling the City's finances.
Nelson asked if the current software and hardware equipment currently being used was sufficient, and Tom's reply was yes that it was. **Bertsinger motioned to accept the financial report from the audit, Keigley second; all in favor, motion carried.**

- B. Bond Sale – Mike Bubany
Mike discussed the exhibit of funds which would be a total of \$42,000 payback per year and the payback would be shorter over 12 years which leads to the method of sale. Mike will try the placement of the bonds to be a local sale with an investor, and US Bank has expressed an interest. It was noted that the City cannot prepay before the "Call Option" date. There would need to be a creation of funds; one is the Construction Fund (Capital Project Fund) which the bonds would go into; and the other is a Debt Service Account (with a 300 prefix) for the annual tax levies. It was discussed that the bid didn't include various streets and these can be paid for with the money already set aside. Mike asked when the begin date will be; and it was stated that last Thursday they began paving, with no contract signed. Mike suggested setting up a special meeting. The Council could approve additions of streets to be done and then Mike would revise his recommendations.
- C. Approval of Financial Statements
Keigley motion to approve, Ottman second; DISCUSSION: all recent transfers made got doubled somehow – Clerk Nymann said she was aware of it and will work on it; **all in favor, motion carried.**
- D. Approval of Bills
Bertsinger motioned to approve, Ottman second; all in favor, motion carried.
- E. Approval of Addition to the Bills
Bertsinger motioned to approve addition to the bills, with the exclusion of #5 and #10, Ottman second; all in favor, motion carried. DISCUSSION: Bertsinger motioned to reimburse the General Fund from Special Fund for Street Maintenance and Engineering fees for the Road Improvement costs already paid, Keigley second; all in favor, motion carried. Bertsinger motioned to pay the \$8,761.63 to Larry Stolp and \$33,408.00 to Roberson Lime and Rock out of the Special Fund set up for the Road Improvement project, Ottman second; all in favor, motion carried.
- G. 2005 Budget
Clerk Nymann had a hand out of a line item (NNO) to be considered for next years budget. Budget is right around the corner. **A budget meeting was set for August 30th at 7PM.**

VI. BUILDING PERMITS *

- | | | | |
|----|------------------|------------------------|-----------------|
| A. | Dave Pearson | 1190 Riverwood Dr SW | Finish Basement |
| B. | Sunwood Homes | 760 Cedar Point LN SE | New Home |
| C. | Greg Noel | 1205 Valley View LN SW | Deck |
| D. | Prany Pin | 330 Zumbro Hills DR SW | Deck |
| E. | Paul Fitzpatrick | 1290 Shady Oak LN | Deck |
| F. | Williamson | 240 MN Ave. S | Shed |

Ottman motioned to approve building permits A-E, Nelson second; all in favor, motion carried. DISCUSSION: F. Williamson = He put up a shed in the easement of the City and Council tabled the permit until it was decided what would be done with streets and roads. Mr. Williamson came in for a permit after he put the shed up. **Bertsinger motioned to deny the permit because the shed is in the easement, Ottman second; DISCUSSION:** If he moves the shed, the permit will be granted. **All in favor, motion carried.**

VII. REPORT OF OFFICES, BOARDS & COMMITTEES

- A. Olmsted County Sheriff's Department – Sgt. Darnell
1. May Reports
Nothing to report.
- B. Fire Department – John Stolp
John brought to the Council's attention to an Ordinance (maybe #86) that charges per fire call. Clerk Nymann indicated that this question has been over list serve and there are numerous fire departments that do have a per call charge. Clerk Nymann will research this and bring back info to next Council meeting.
- C. First Responders – Jerry Lubahn
See earlier on agenda.
- D. EOC – Dennis Blanck
1. Anemometers are in.
 2. New radio is here..
 3. Has had recent calls about severe weather. Clerk Nymann asked Dennis if he was aware of assistance available from the County for individuals dealing with high water. Dennis will get this info from the Clerk.
- E. Streets & Roads
1. Progress of road improvements – Larry Stolp
1st Avenue SW (kitty corner from Presbyterian Church) was not included on the paving map. Numerous calls have been received about shouldering the roads; and it will be done. **Forest LN SW** somehow got omitted from the paving map. Cost estimate to pave that would be an additional \$6,000. **Bertsinger motioned to include Forest LN SW in the paving and shouldering, Keigley second; all in favor, motion carried. 2nd St NW** cannot be put in bond, has to come out of already budgeted amount, the bid cost reads \$3,753.40 . **Bertsinger motioned to allow \$3,753.40 to improve 2nd St NW and for it to be taken out of the General Budget, Keigley second; all in favor, motion carried.**

A short recess was called for at 8:30PM

Meeting called back to order at 8:48PM

Bertsinger spoke to Mike Bubany during the recess and the additions could be used out of the contingency. If bonds increased, then sale of them may be different.

Kevin McDermott stepped down from the Council Table.

4th ST SE is the street the City did not vacate, and services 1 home, Kevin McDermott's. It would cost an estimated \$1,100 to pave.

Kevin McDermott returned to the Council Table.

1st St SE is not lying where it should be. Ottman spoke to attorney Canan about this and he suggested having the property owners sign an easement (of 10') for the life of the road to leave the street as it lays because of the cost involved to put it where it belongs. **7th St SE** paving stopped too short of City limits. Need to get an estimate on this street.

Dick Nelson stepped down from the Council Table.

2nd Ave. NW is the road going into Dick Nelson's home, and dead ends because the rest of the street was vacated. For clarification purposes, the Council has not yet accepted their 'gift' (which was the private land which 2nd Ave. NW runs through) to the City, but did acknowledge the petition regarding this. Discussion included private vs. public drive, and width of streets (12' minimum). It was determined to get an estimate for this street. **Ottman motioned to accept the portion of private land that runs through the street as long as the deed is turned in for it, McDermott second; AYE: Keigley, Ottman, McDermott; NAYE: Bertsinger, motion carried. DISCUSSION:** If the City accepts one road, it should accept all roads.

Dick Nelson returned to the Council Table.

3. Set Public Hearing Date for Olson's request for alley vacation
Public Hearing set for July 12th at 8:00PM.
4. Contract for Street Improvement Project
Per City Attorney's request, a completion date should be noted. **Ottman motioned to approve the contract with Rochester Sand and Gravel with noted completion date of June 15, 2005, McDermott second; all in favor, motion carried.**

F. Community Center

1. HAVA Grant* - Clerk Nymann
Bertsinger motioned to table until July meeting, Ottman second; all in favor, motion carried.
2. Awning & Light at CC Entrance
Tabled until July's meeting.

3. Awning @ Shop
Ward can work on getting this done.
4. Clerk's Office – Dick Nelson
Nelson stated that a complete overhaul on the office needs to be done to make it more efficient. The desk is falling apart. Nelson noted that this is his idea, and that Clerk Nymann wasn't complaining about anything. He said the City needs to get an office supply store to recommend a layout to make it more efficient and usable. Ottman suggested someone get an estimate. **Nelson motioned to contact an office furniture store to give an estimate on layout and furniture to streamline and make the office more efficient, Ottman second; all in favor, motion carried.**
5. Shop Heater – Ward Field
Clerk Nymann stated that the possible heater from VoTech fell through. The Shop needs to be kept at a minimum heat because of water lines that run through. The Council needs Ward to get some ideas on what is needed (i.e. unit, venting, how many BTU's?)

G. Planning & Zoning

1. EAW Fee
Clerk Nymann stated that there was no fee for time spent that was put into an EAW. Costs were discussed. **Keigley motioned to charge \$150 for an EAW fee, Bertsinger second; all in favor, motion carried.**
2. GDP for Clark Property
Dan Zemke, Don Clark, & Steve Jech were present for this item. Dan Zemke stated that from last time the vote for approval ended in a 2-2 tie. There were not too many changes to the GDP from last time. Zemke said he talked to MnDOT and the bids would be let in Nov. '05 and construction would begin in '06 on highway 52. Dan asked for the Council's approval on the GDP. **Nelson motioned to accept the GDP for the Clark/Tiedeman property, Ottman second; DISCUSSION** It was stated that the development agreement would be the place to consider a phase in process of the development. **AYES: Bertsinger, McDermott, Nelson, Ottman; NAYES: Keigley.** Further DISCUSSION: It was stated by Council that the GDP would be sufficient for the annexation application.
3. Whittington Acres Final Plat
Council set a Public Hearing date for the Final Plat on July 12th at 8:15PM.

H. Downtown Oronoco Gold Rush

1. Public Gathering Permit
Add Kevin McDermott's name to it. **Bertsinger motioned to approve the Public Gathering Permit Application for Downtown Oronoco Gold Rush Days with the addition to Kevin McDermott on the list, Keigley second; all in favor, motion carried.**

I. Sewer

Nothing at this time.

- J. Coon Grove Park
 - 1. Committee Set Up – Dick Nelson
Nothing to report.
 - 2. Split Tree – Ward Field
Clerk Nymann stated that there is a split tree on the west side of the property that is rotting from the inside and should be taken down. Ottman stated that he would look at it, and he may be able to knock it down with one of his rigs.
- K. Highway 52
Bertsinger stated that the City will be asked to hold a public hearing; and after notification the public hearing has to be within 60 days. This will be to gather information and input on whether to accept the map or not. There is a new map on the wall in Council Chambers that shows the changes (noted there were big changes in the frontage roads along Highway 52).

VIII. PETITIONS, REQUESTS & COMMUNICATIONS

- A. Clerk's Extra Help – Doris Mulholland agrees to 10 hrs per month
- B. Petition from 1st PL SW Residents
They would like a written response. Burnett's just had their property surveyed and Fangman showed it as a public road; but it was questioned how he determined that it was a public road. There was some confusion as to why another street (which they thought was considered private) was brought in to the City. It was noted that 2nd Ave NW was on the original City Plat as a street. Some individuals thought the Council was picking and choosing roads to pave. **Bertsinger motioned to accept the Stolps Cove road (1st PL SW) as a City Street contingent on receiving legal descriptions and deeded to the City from the residents along it, Keigley second. DISCUSSION** There should be a dedicated # of ft. off the property for ROW and deeded over to the City. **All in favor, motion carried.** Further DISCUSSION: Burnett wanted to know why the paving didn't come up to the mailbox; research needs to be done at the County recorder to find out where the private street is. Also, abstracts may be brought in to prove how far the public road is.
- C. Petition from Cart Path (5th St SW) Residents
Ottman motioned to accept the petition, Keigley second; all in favor, motion carried. DISCUSSION: Clarification that the petition was accepted, not the street. City has maintained street, and the City could take it; the road doesn't line up with 5th St across from Spadings; east culvert on road doesn't drain. Dwayne Stlop said that he's being land locked because the State of MN is taking away his access with the 52 project, and he doesn't want bus, garbage, etc. coming in to his driveway to turn around. Council told him to take that up with the MnDOT. Clerk Nymann will send a letter to Spadings and ask to have them bring in their abstract.
- D. Letter from Jill Allen
Horses are gone.

- E.
- F. Letter from Mark Kuehn
Will be present at the next meeting. He spoke to Nelson and said that there will be lighting on each site in the campground, and that he will encourage campers to use an alternative route to enter highway 52.
- G. Letter from Ed Simon
Ed has completed installation of new computer, they are not, however networked.
Bertsinger motioned to get estimates to network the computers, Ottman second; all in favor, motion carried. Clerk Nymann stated that the current printer (which belongs to Ed) is not what she wants and will pull over one of the others.

IX. ORDINANCES & RESOLUTIONS

- A. Ordinance 180.00 (Bill Engelking representing Carl Krause)
Referring to the violation of the billboard that has Super 8 advertising on it. Council would like to see a picture of the billboard, they have the pictures of the posts that were cut off. Council stated that they did not want to discuss any further until their lawyer was present. Bill said that Carl Krause's attorney would be contacting the City and left.

X. OLD BUSINESS

- A. Orderly Annexation Agreement with Township
Should have completed agrm't by the end of the week.
- B. Capping Well on City Property
Dan from Rick's Well & Pump is getting an estimate for the City to cap the well.
Bertsinger motioned to proceed capping well and to take the cost out of the building fund, Keigley second; all in favor, motion carried.
- C. People's Co-Op Franchise Agreement
Tabled until next meeting.
- D. Pine Island Telephone Franchise Agreement
Tabled until next meeting.
- E. Letter sent to Satriano
Bertsinger talked to Board of Adjustments and they do not recall any paper work coming through on this. Ottman would like Clerk Nymann to send them a letter that we need to see this 'variance' that Kann's state they have, and that water could not be run until this is formally acted on or proof of the variance is at City Hall; and that the letter should indicate the procedure for a variance.
- F. Letter sent to State Demographer ~ No reply

XII. NEW BUSINESS

1. Youth softball

Kelly Jones will do kids softball at the east side fields on Tue. & Thur. She would like \$300 for supplies and refreshments for the kids. **Nelson motioned to allow \$300 for softball, Keigley second; all in favor, motion carried.**

2. Passports

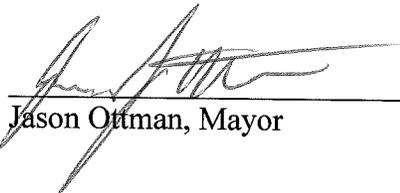
Clerk Nymann stated that this process was started with the previous mayor, and that City Hall was approved to be a passport agency with herself as the issuing agent; and she wanted to know if the Council was still interested in pursuing it. If so, she would like to attend a one day training for passports on July 22nd in Hermantown. The training is free. Council asked if she would have time to do this. She said yes. **McDermott motioned to have City Hall issue passports and to have Clerk Nymann attend a 1 day class, Ottman second; all in favor, motion carried.**

XIII. PUBLIC FORUM

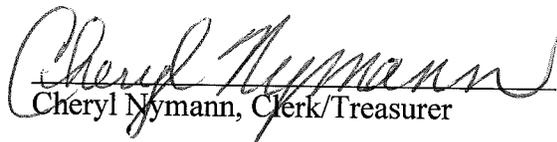
XIV. ADJOURNMENT

Keigley motioned to adjourn at 10:45 PM, Nelson second; all in favor, motion carried.

Respectfully Submitted:



Jason Ottman, Mayor



Cheryl Nymann, Clerk/Treasurer