

**CITY OF ORONOCO
REGULAR CITY COUNCIL
MEETING MINUTES
August 16, 2004**

I. CALL TO ORDER

Mayor Jason Ottman called the meeting to order at 7:02 PM.

II. ROLL CALL

All Council present, plus Clerk Nymann, Attorney Canan, and members of the community.

III. APPROVAL OF AGENDA (Additions/Deletions)

ADDITIONS: VI. 6. Bond Counsel-Mike Bubany

VII. G. 2. 1st PL SW

VIII. G. Signage Ordinance

DELETIONS: IV. 3. CC

Bertsinger noted that the Closed Session Meeting Minutes from July 19, 2004 were missing. Clerk Nymann will have those prepared for the next regular meeting in September.

Bertsinger motioned to approve agenda with above changes, Nelson second; all in favor, motion carried.

IV. MEETING MINUTES

1. 7-19-04 Regular CC Meeting

2. 7-20-04 Special CC Meeting

3. 8-4-04 Special CC Meeting

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

VI. FINANCES

1. Unpaid Bills

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

2. Additions to Bills

None

3. Financial Reports (US Bank Report, Budget)

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

4. City Credit Card

Clerk Nymann brought forth a concern about the City Credit Card. She put out a survey on listserv and most Cities use Comdata because they specialize in Government and use the City's Fed EIN # instead of a personal social security number. Clerk Nymann recommended switching the City Credit Card to Comdata (mastercard) affiliated with Wells Fargo so she doesn't have to use her ss #. **Bertsinger motioned to switch the City Credit Card to Comdata through Wells Fargo, Ottman second; all in favor, motion carried.**

5. Reminder: Special CC Meeting on 2005 Budget is on Monday, August 30th @ 7pm

6. Bond Counsel- Mike Bubany
 Mike reported that at 11 am bids were opened and 2 bids came in; one from Miller/Johnson and one from Cronin. There was only a difference of ¼ point. A resolution has been prepared by bond counsel, which award sale of the bonds to Miller Johnson. He also stated that a good faith deposit of \$9,000 will be put into the street & road improvement account, and the remainder would be deposited around September 1, 2004. Mike said that the payments will be below \$45,000 per year. **Ottman motioned to accept Resolution 04-14 to award the sale of bonds to Miller Johnson for the street and road improvement project, Keigley second; all in favor, motion carried.** Mike then indicated to Clerk Nymann that she should let the bank know that the money from the sale will be coming.

VII. BUILDING PERMITS*

1. Lance & Linda Sorensen 40 Second Ave SW Addition
 2. Severson Bldrs.(Garth Snyder) 740 Valley View Rd SW New Home
 3. Ras-Kel Homes, Inc. 585 Sunnyview Lane SW New Home
 4. Sunwood Homes (Todd Wilker) 1185 Riverwood Dr SW New Home
- Ottman motioned to approve, Nelson second; all in favor, motion carried.**

VII. CITY DEPARTMENT & COMMITTEE REPORTS

A. Olmsted County Sheriff's Dept.

1. 2005 Law Enforcement Services Agreement (\$33,966.40) {2004-\$30,925.44}
 Clerk Nymann indicated the Agreement was the same as last year, except for the amount to be paid. This increase was discussed last year. **Bertsinger motioned to approve, Ottman second; all in favor, motion carried.**

B. Fire Department – John Stolp

1. Ordinance 113.00
 Even though there is just an amendment, the whole thing needs to be published. The first reading was waived, and Ottman continued with the second reading highlighted with the changes in Section 9 Subd. 1, and Subd. 3, and Sect. 12. **McDermott motioned to approve the amendments of Ordinance 113.00, Ottman second; all in favor, motion carried.** The changes are effective after publishing the Ordinance.
2. Repeater Station
 The repeater station is in.
3. Burning Permits
 There's complaints about occasional drift of smoke from burning permits, and John suggested to discuss a city owned burn site.
4. New Fire Truck
 The new truck is experiencing some difficulties, and Deep South is working on it.

C. 1st Responders – Jerry Lubahn

1. There were 3 runs, all in the township.
2. Letter from Jerry Lubahn
 A member of the 1st Responders has been dismissed from service by Director Lubahn.

3. New Members
Training begins the second Tuesday in September for new members.
4. There is a poster made for DOGR info booth for emergencies.
5. New Rig and Equipment Fund
Mary and Jerry Lubahn were present to discuss the Special new rig fund. Larry Kerr concurred that when the Special Fund was set up it was stated as New Rig & Equipment Fund, not just New Rig Fund. **Keigley motioned to have the special fund stated as New Rig & Equipment Fund and to take \$1,000 out of it for the repeater station, Ottman second; all in favor, motion carried.**

D. EOC – Dennis Blanck

Dennis state the big event is this weekend and there are extra emergency personnel on hand.

E. Community Center – Ward Field

1. Truck needs transmission fixed
The truck needs to have the transmission looked at. **Ottman motioned to wait until after Gold Rush to have the transmission looked at, possibly at the GM dealer in Grand meadow, Keigley second; all in favor, motion carried.**
2. Tiles lifting in Council Room, will start breaking up; what should be done??
Keigley motioned to have someone come in to do tests to see if there's asbestos under tiles, McDermott second; all in favor, motion carried.
3. Working on plans for overhang @ CC
Complete after Gold Rush
4. Gator for Sale?????
Clerk Nymann has had inquiries as to the sale of the gator. It was stated that the bids that came in for it last year were too low, therefore, refused. There are new funds set aside for a new 4 wheeler, and discussion about trading it in.

F. Planning & Zoning – Charlie Fried

1. Letter from Charlie Fried – Clark/Tiedeman Property
The acreage is more that what the City can take in without township signing off on it. Neil Stolp from the Township was present and said the Township is not opposing the annexation, but cannot enter into an agreement and call it orderly. He stressed the need to have the orderly annexation agreement completed. This area is not prime farmland, and no natural resources. Looking at the timeline, the City needs to extend, approve, or deny the petition for annexation tonight. **Bertsinger motioned to extend the 30 days under advisement of an impartial attorney and bring this back to the table on the 30th of August. A letter should go to Seeger & Dunlap (City's outside attorney), Ottman second; all in favor, motion carried.**
2. Letter from Charlie Fried
 - a. Ordinance 04-04, Unlawful Deposit of Litter
Attorney Canan attended the P & Z Commission meeting and they discussed this Ordinance. There was concern over the enforcement of the ordinance. If there is not a safety issue, the Clerk could first write a letter telling them they may be in violation of the ordinance, and when it will be discussed at Council (to give them an opportunity to attend the meeting, or be in compliance of the ordinance). If problem continues, then the Sheriff's Dept. would be contacted and a ticket would be issued. If remains unpaid, then it can be billed back to their properties on their taxes.
Also discussed was that the City is responsible for the elimination of weeds in the ROW. There is a tree on 7th St SW , and thistles on 6th St SW that need to

be taken care of. **Jason Ottman read the 1st reading of Ordinance 04-04, waived the second reading, and motioned to have the City send a letter of notification of violation and a ‘clean-up by’ date for junk in yards; Nelson second; all in favor, motion carried.** Clerk Nymann will Publish Ord. 04-04.

b. **Ordinance 04-05, Exception Permits**

The City has two permits that pertain to “kinds of land use” and wants to add in criteria for use, appeal section, and time limits: DISCUSSION: #5 should change from planning commission to zoning administrator; council needs to make final approval; and P&Z is used as an advisory board to hold Public Hearing. Council should be the board of appeals. Attorney Canan will work on this Ordinance.

3. **Orderly Annexation Agreement**

Nelson motioned to send this to Oronoco Township for their review, Keigley second; all in favor, motion carried.

4. **Riverwood Hills IV Annexation and Preliminary Plat**

DISCUSSION: All matters worked out, **Ottman motioned to approve Riverwood Hills IV Annexation and Preliminary Plat, Nelson second; all in favor, motion carried.**

G. Streets & Roads

1. **Email from Steve Voigt**

2. **1st PL SW**

There are problems of deeding a road over to the City because it does not belong to the property owners. All documentation submitted state it’s already a City street. 1st PL SW can be paved when they come in to do the 2nd course. The trees need to be trimmed, but need a written document from property owners to enter onto their property to trim the trees back. After receiving consent from the property owners, the City Clerk will call someone to come in to trim the trees up to 14’.

H. Highway 52

There will be a meeting on August 31st from 5-7 for ROW residents that are affected by the Hwy 52 Project.

I. Downtown Oronoco Gold Rush

There is a meeting Thursday night at 7pm to discuss items that still need to be done. It was stated that the community service workers helped out a lot. DOGR also received a good response from the letter for volunteers sent to organizations that DOGR sponsored. Do need help yet for clean up (5pm) after the event.

J. Coon Grove Park

Burn pile needs to be burned yet. Clerk Nymann stated there is a rotted out tree that needs to be brought down before it falls itself and causes damage somewhere. Council directed her to have this tree come down when the trimming on 1st PL SW takes place. It was brought up that Caryl Cowden cleaned up this park and actually made it into the park that it is now. **Ottman motioned to change Parks name from Coon Grove School Park to Cowden Park, Nelson second; all in favor, motion carried.** DISCUSSION: Clerk Nymann will send him a letter notifying Mr. Cowden of the change; maybe a bench with his name on it should go up to the Park also.

VIII. PETITIONS, REQUESTS, COMMUNICATIONS

- A. Request from Chuck Rathbun to introduce himself
Chuck Rathbun was present to introduce himself. He is running for County Commissioner.
- B. Letter from State Demographic Center
Clerk Nymann reported that she received a response from the documentation she sent to the State Demographic Center. This response stated that they changed Oronoco's population from 888 to 901 with 349 Households (an increase of 23 people).
- C. Acknowledgement of Claim from LMC
Clerk Nymann asked if any of the Council heard anything about a claim of a branch from a boulevard tree falling onto a car. Council was unaware of the incident. Clerk Nymann will investigate further.
- D. Thank you From Marvin Smith Family
Thank you note was received for memorial gift (Council members chipped in for the memorial in memory of Council Member Bertsingers' father).
- E. Letter to Dwaine Stolp
Dwaine had 3 concerns and they were addressed in a letter sent to him. The trees have been trimmed on S MN Ave; new property owners for the VanKirk's old property have been contacted to remove weeds; and petition was received, but cart path was not accepted-he needs to approach MnDOT with his question on this.
- F. Clerk Nymann will be at Election Judge Training on Aug. 26th, 8:30-11:30 in Rochester
This training required by the County for all Head Election Judges and Administrators.
- G. Letter from Attorney Canan about Signage ordinance Issue
Attorney Canan responded to a letter from the Moulton Law Office.

IX. ORDINANCES & RESOLUTIONS

- A. Resolution 04-14, Appointing Election Judges
Keigley motioned to approve, Ottman second; Voice Vote : AYES: Bertsinger, Keigley, Nelson, McDermott, Ottman; NAYES: None, motion carried and resolution adopted.
- B. Ordinance 04-06, Amending & Reenacting Ord.100; Penalties for Ordinance Violations
Ottman read Ordinance, waived the second reading, McDermott second; all in favor, motion carried. Clerk Nymann will publish Ordinance 04-06

X. OLD BUSINESS

- A. People's Co-Op Franchise Agreement
Attorney Canan sent a letter to People's Co-Op last week and will discuss in Sept. meeting. It was discussed that maybe McDermott shouldn't participate in these discussions since he's an employee for People's Co-Op.
- C. Pine Island Telephone Franchise Agreement
A public hearing should be set for the franchise agreement.
- D. Recap of 2004 National Night Out Event
Keigley motioned for the Community Center to donate the food back to DOGR for feeding their volunteers, Ottman second; all in favor, motion carried.

XI. NEW BUSINESS NONE

XII. PUBLIC FORUM

No citizen came forward.

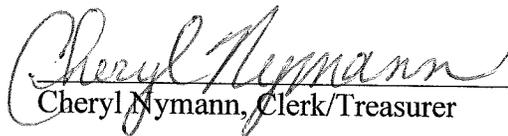
XIII. ADJOURNMENT

Keigley motioned to adjourn at 9:50 PM, Nelson second; all in favor, motion carried.

Respectfully Submitted:



Jason Ottman, Mayor



Cheryl Nymann, Clerk/Treasurer