

City of Oronoco  
Regular Council Meeting Agenda  
August 22, 2006  
7:00pm

**I. CALL TO ORDER**

**Bertsinger called meeting to order at 7:03pm.**

**II. ROLL CALL**

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

**III. PUBLIC HEARINGS**

**A. ORDINANCE 191.00 AN ORD. REGULATING SALE OF FOOD IN ORONOCO**

**Bertsinger asked for public comment 3 times on the change to the ordinance of 4<sup>th</sup> of July fireworks. No comments received. Closed public hearing at 7:05pm.**

**IV. APPROVAL OF AGENDA**

ADDITIONS: V. L. COUNCIL REP FOR LAKE SHADY COMMITTEE  
VIII C. MCFOA REGION VI MEETING-SEPT. 15<sup>TH</sup> LANESBORO  
D. OSHA TRAINING SEPT. 28<sup>TH</sup> ROCHESTER  
X. C. LMC REGIONAL MEETINGS  
D. LETTER FROM PI TELEPHONE COMPANY

DELETIONS: III. A. ORDINANCE 191.00 PUBLIC HEARING (ALREADY HAD)

**Bertsinger motioned to accept additions & deletions, Hall second; all in favor/motion carried.**

**V. CITY DEPARTMENT & COMMITTEE REPORTS**

**A. OCSO**

1. Law Enforcement Agreement with OCSO for 2007

**Bertsinger motioned to approve, McDermott second; DISCUSSION:** Canan stated that the contract is the same as every year, and questioned if there should be anything about animal control responsibilities, **all in favor/motion carried.**

2. Tom Clayman present, DOGR traffic was a dramatic improvement from previous years. And, OCSO will work on parking along County Road 18; City should work on no parking on the old cemetery road

**B. FIRE DEPARTMENT**

1. Truck Done

**C. 1<sup>st</sup> RESPONDERS**

1. Runs: Total 8 (7 Township, 1 City)

**D. EOC ~Dennis Blanck**

1. Radio

2. Training

Discussion included not sharing a room, and commitment from Dennis to remain as EOC Director.

**McDermott motioned to attend.** There's not money in the budget for it. It may be offered again next

year, and closer to here, as well as no information for Dennis' time off from work, etc. John may be willing to share course materials as well. Get information from John, and if it will be held closer to area.

## F. PLANNING & ZONING

### 1. Letter from P & Z Chairman\*

#### a) Rucker Annexation (letter received from attorney)

Letter received from attorney requesting tabling the request indefinitely. Bertsinger suggested tabling it for 6 months. **Bertsinger motioned to table Rucker annexation for 6 months, Keigley second; all in favor/motion carried.**

#### b) Smith's Lot Split

They want Wayne & Susan to address P & Z directly. **Novak motioned to extend the application 60 days, Hall second; clerk Nymann will send letter of next P & Z meeting; all in favor/motion carried.**

### 2. Cedar Woodlands II

#### a) Preliminary Plat

##### 1) Parkland Dedication for CW II

Joe & Adam have been meeting with Dan Fitzpatrick on this. Discussion items were that they request to put a paved trail down along the development, wetland issue will be minor, permitting required with DNR on this as well; and, in summary it does look as though the pathway will be viable. Paving of the trail is still being considered by Dan. No major disagreements. Remainder of issues on conditions for preliminary plat has been addressed.

##### 2) DNR comment (none received)

#### b) Special District Public Hearing on Sept. 5<sup>th</sup> before P & Z

Canan, add it into the P & Z code of ordinances (public record).

#### c) EAW comment period Aug. 28-Sept. 27

### 3. OACC Document

Novak summarized the following points:

- It has changed since the initial presentation.
- Apply to any building permit issued in the B1, B2, M1 & M2 zones.
- All current buildings are grandfathered in.
- Changes have been made after meeting with several business owners, and builders.
- Reference to the comp plan and this document working harmoniously and giving Oronoco a unique identity.
- A metal roof would not fit in with how buildings look now, keeping it consistent.
- No way to get a building passed if they didn't adhere to exterior or roof of the building.
- P & Z has seen the revisions, and support it.
- Scoring sheet for building/developer & OACC and they would have to get together. (Should go to OACC before a building permit issued).
- Council will need to decide if it has to go into ordinance form, or remain as guidelines

Canan suggested to change number references; make it clearer, 'adequate parking' (refer to parking ordinance); colors not clear and could be a potential problem area. Questioned whether the OACC has authority to sign on the building permit; no they wouldn't (The permit would have to go to P & Z, and then to Council (looking at least a month and a half turn around time before building permit would go through))

Continued Discussion:

- ❖ OACC's existence as a committee, and if they can give their approval.
- ❖ Parking lot, 1 pt. if adequate parking (already in ordinance).
- ❖ The two buildings that were just built are nice.
- ❖ Guidelines don't fit in this town; people are going to put up nice buildings.
- ❖ There are metal roofs in MN because snow sheds off easily.
- ❖ Oronoco in its own setting will already be unique to go with the town. To force everyone with the same type of roof it will all look the same.
- ❖ The city needs some guidance that some people may not care as much about Oronoco as its residents now.
- ❖ It for a time period, see if it works, and if there are any problems, etc.
- ❖ Already have site plan review in ordinance on business.
- ❖ The price of building these types of commercial buildings will be too expensive, and could slow growth.

❖ Remain as a guideline vs. putting in Ordinance form.

**Novak motioned to put this OACC document into ordinance form, Hall second; DISCUSSION:** Revisit it in six months, can always amend it. Procedure how the document is reviewed should also be in place.

**NAYE: Keigley, McDermott; AYE: Novak, Hall, Bertsinger motion carried.** Novak will make changes to the document and procedures and submit to Tom.

4. Summary of Applications

G. PARKS & TRAILS ~ Adam Brase

1. Approval of River Park Expenditures

Reviewed River Park Expenditures at \$39,671.93. Discussion; on cost of gate, Fits with development. Not over budget. Room built into all of the figures. Pea gravel and edging, was decided on as it won't get washed away. The parks committee spent considerable time on this. **Bertsinger recommended approval of the itemized listing as follows:**

Playground Structure	\$30,371.93
Iron Gate @ Entrance	\$2,000.00
Lumber for pavilion	\$2,000.00
Pea Gravel Playground Surface	\$3,000.00
Basketball Posts/Backboard/Net	\$900.00
Playground Edging & Cement	\$700.00
Tennis Net & Posts (As funds permit)	\$700.00
<b>TOTAL:</b>	<b>\$39,671.93</b>

**McDermott second; AYES: Bertsinger, McDermott, Hall, Novak; NAYES: Keigley.**

2. Approval of Trail Mapping Proposal

Adam reported to Council that to have a master plan on trails will assist with applying for grants, phasing, etc. and that he has already spoken to Joe Palen about it, and they would be able to do it and it will not exceed \$1,200; also, the park committee has already approved it. Discussion on waiting to do this next year to include updated aerial photos, the completed Hwy 52 work, and commercial lands can be incorporated into the plan. **Bertsinger motioned to expend no more than \$1,200 to develop trail plan with Bonestroo, with Parks Committee input, McDermott second; DISCUSSION:** Questioned if borrowing money from next years budget, how can it be in this year's budget. **AYE: Bertsinger; NAYES: Hall, McDermott, Novak, Keigley, motion failed.**

3. Approval of Park Signage

Proposals reviewed thoroughly came back with a larger sign for that \$3,435 includes composite post with warranty. Colors on signs are yellow, gold, and blue. This is in their budget. **Bertsinger motioned to approve park sign, Hall second; all in favor, motion carried.**

4. Eagle Scout Projects

2 scouts have approached and Jared Avinstein was present... Jared reported that Council would need to approve the project. He would build 2 recreation swings and landscape area. (Presented picture); and they would be placed along the trail in RWH, and in front of community center; wants to get plan approved before he continues looking for donations. Parks Committee is supportive, and probably \$1,000 for both. **McDermott motioned to approve project, contingent on Jared's donations, Hall second;**

**DISCUSSIONS:** Once Jared has the materials list, donations, etc. have it brought back to the City. He already talked to a structural engineer on the basics of the plan. **All in favor, motion carried.**

5. Member Resignation: Collette Justin, **Bertsinger motioned to accept her resignation, McDermott second; all in favor/motion carried.** Setting up maintenance program with trails and mowing, council needs to address (gravel trails in RWH and decide if they are going to treat and spray it). They recommend some control measures put in place.

6. Discussion of Maintenance Program for Parks and Trails

Discussion on weeds; Spraying, hiring someone, and look at requirements from LMC.

## H. STREETS & ROADS

### 1. Naming of 5<sup>th</sup> Street NW with 59<sup>th</sup> Ave NW

**Novak motioned to name it Rush Road, Keigley second;** DISCUSSION: Council asked for input from residents along there. **AYES: Novak; NAYES, Bertsinger, Hall, Keigley, McDermott; motion failed.** Tabled to next meeting.

### 2. Invoice from ASTECH for 2006 Seal Coat Project

**Bertsinger motioned to pay Aztech \$22,616 out of construction SF account; Hall second;**

DISCUSSION: Over charges discussed and the middle bid was chosen out of the three that were submitted. Palen explained that it was bid on a unit base price contract, don't know how much it will take to fill cracks and a unit price contract, emulsion and aggregate were right on, but crack fill went over (depth and width were larger and wider than typical). Everyone's initial bid would have gone over. Typically when presented to council est. has 10% contingency. If it would've been bid on a lump sum basis, the bids would have been higher. **AYE: Bertsinger, Hall; NAYE; McDermott, Novak, Keigley.** **Novak motioned to pay the bid price and leave the remaining price open; Motion died for lack of second.** Canan, if it was a unit contract, the city will have to pay it. **Keigley, motioned to meet them in the middle on the difference, McDermott second;** DISCUSSION: The city should be responsible and pay for what was done. **AYES: Keigley, McDermott; NAYES: Novak, Bertsinger, and Hall. Bertsinger motioned to pay full amount on the invoice, Hall second;** DISCUSSION: Why didn't they notify the city ahead of time? It doesn't take very long to do it. Workmanship was fine. They have material certification of bricks. **AYES: Novak, Bertsinger, Hall; NAYES: Keigley, McDermott**

**Keigley.** **Novak motioned to pay the bid price and leave the remaining price open; Motion died for lack of second.** Canan, if it was a unit contract, the city will have to pay it. **Keigley, motioned to meet them in the middle on the difference, McDermott second;** DISCUSSION: The city should be responsible and pay for what was done. **AYES: Keigley, McDermott; NAYES: Novak, Bertsinger, and Hall. Bertsinger motioned to pay full amount on the invoice, Hall second;** DISCUSSION: Why didn't they notify the city ahead of time? It doesn't take very long to do it. Workmanship was fine. They have material certification of bricks. **AYES: Novak, Bertsinger, Hall; NAYES: Keigley, McDermott**

### 3. Grant Application for West Frontage Road

Joe Palen reported that they have info and drawings from DOT, and the City Engineer putting figures together. Draft of application, and will be submitted by September 1<sup>st</sup>.

### 4. 5<sup>th</sup> St SW

Nothing at this time.

## I. WATER & SEWER

Next Tuesday August 29<sup>th</sup> presentation on pilot study at 6:30

## J. COMMUNITY CENTER

### 1. HAVA Grant Approval

**Bertsinger motioned to process with enlargement of door and power assist, resolution 06-16, Keigley second; all in favor, motion carried.**

A break was called for at 8:20pm.

Reconvened at 8:30PM,

### 2. Barbara Smallbrock, representing the Oronoco Area History Center, was present and requested a room upstairs be dedicated to the Oronoco Area History Center. DISCUSSION ITEMS:

- They already have items.
- One of the group members will be there when someone goes into that room. It's hard to get insurance if there isn't that coverage.
- The township hall does not have heating, and needs a lot of work. No income to put out that kind of money to improve that building.
- Building use, shelves are already in there for use.
- Canan recommended waiting until they get their 501-C3 status. Come back to Council.

## K. DOWNTOWN ORONOCO GOLD RUSH DAYS, INC.

McDermott thanked everyone who volunteered their time to make the event successful and smooth the committee will have the final numbers in September, and applications can be submitted in October.

## L. LAKE SHADY

### 1. Council Rep for Lake Shady Committee

McDermott will remain as Council representative. Meeting: next Tuesday, August 29<sup>th</sup> at 7pm upstairs. Questioned Lake Shady and the growth coming up from lower water levels. Already being addressed

with Leadership Committee, Fisheries and committee was told that this growth will die out because they won't live in the water. But, it was asked what kind of guarantee will there be that they will die out.

**M. HIGHWAY 52**

1. Memo from Jai Kalsy  
FYI
2. Memo from Judy Richter  
FYI

**VI. PUBLIC FORUM**

Called for 3 times, no one came forward.

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

**A. PETITION FROM RESIDENTS ALONG RIVERWOOD LANE SW & SHADY OAK LANE SW**

All residents on those two private roads have signed a petition for the City to take over the above named private roads. What is the obligation of the residents before the city proceeds? Decide on width, is there a plan to expand road bed to meet current road width requirements (they would have to include land dedication). City engineer needs to go to area and look at ROW, etc. Steve Farrell is looking for snow removal and maintenance. Been plowed along side road, would like to keep it as it is now. RWH has never been accepted. Who has deed to those streets? Dan has signed over the outlots to the association, but not the streets as of yet. They need to find out who owns them yet, and where are the boundaries. If City needed ROW, are they willing to deed it over to the city? Farrell asked if they need to have deeds or just an agreement to put snow on people's land. Canan, dedicate or deed. City doesn't need to own it, it could be dedicated. Need to know width, and decipher whether it's sufficient for the city to use now and in the future. End of cul-de-sac, state has easement to go through to inspect disposal system, and goes through private drive. Does Council want to go through this? Canan suggested doing all roads at once in RWH I. (Ownership, width adequate, core samples). They need to go back to Dan Fitzpatrick first on ownership, and drawings of the roads, to City Hall and then to City Engineer.

**C. ZUMBRO HILLS RESIDENT MEETING**

Meeting on September 11<sup>th</sup> @ 7pm. Invite residents to council meeting in September 11<sup>th</sup>.

**D. MCFOA REGION VI MEETING-SEPT. 15<sup>TH</sup> LANESBORO**

Sandy will cover office. **Bertsinger motioned to approve. Keigley second; all in favor, motion carried.**

**E. OSHA TRAINING SEPT. 28<sup>TH</sup> ROCHESTER**

**McDermott motioned to send Kent to OSAH Hall second; All in favor, motion carried.**

**IX. ORDINANCE & RESOLUTIONS**

**X. PETITIONS, REQUESTS, & COMMUNICATIONS**

**A. EMAIL FROM JOE PALEN ON UTILITY CASINGS**

Release for construction, small change.

**B. REMINDER: BUDGET MEETING ON SEPT. 5, 2007**

**C. LMC REGIONAL MEETINGS**

D. LETTER FROM PI TELEPHONE COMPANY

Clerk Nymann will contact Rick and let him know final plat for Whittington Acres has not been recorded.

XI. MEETING MINUTES\*

- A. 07-17-2006 Regular City Council Meeting Minutes  
Bertsinger wants to make sure it is all summarized, and accurate. Clerk Nymann stated that she summarized what Mr. Nelson said, and that it was a Public Forum item so was a longer summary. **Bertsinger motioned to approve meeting minutes to approve changes from Canan and Joy, Hall second; AYE: Bertsinger, Hall NAYE: McDermott, Novak, Keigley. Novak motioned to accept Tom's changes, and add Joy's comment that Dick's comments are his views and not the Mayor's or the Councils. Everything said in public forum paraphrased, McDermott second; AYES: Novak, Keigley, McDermott Naves: Hall, Bertsinger, motion carried.**
- B. 08-08-2006 Special City Council Meeting Minutes  
**Bertsinger motioned to approve; McDermott second; All in favor, motion carried.**

XII. BUILDING PERMITS\*

- |                  |                         |          |
|------------------|-------------------------|----------|
| A. Kevin Lillie  | 1275 Riverwood Dr SW    | New Home |
| B. David Skogen  | 1060 Istars LN SW       | New Home |
| C. Garth Snyder  | 740 Valley View Road SW | Deck     |
| D. Steve Howarth | 1215 Istars LN SW       | New Home |
| E. J-Con Inc.    | 570 Riverpark Rd SE     | New Home |
- Bertsinger motioned to approve; Novak second, all in favor, motion carried.**

XII. FINANCIALS

- A. Budget, 4M Account, Transactions
- B. Rochester Juvenile Hockey Association (2<sup>nd</sup> Quarter Payment)
- Bertsinger motioned to approve financials, Hall second; all in favor, motion carried.**

XI. ADJOURNMENT

**Bertsinger motioned to adjourn at 10:29pm, , Hall second; all in favor/motion carried.**

Respectfully Submitted:

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Joy Bertsinger, Mayor

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Cheryl Nymann, City Clerk/Treasurer