

City of Oronoco
Tuesday, September 15, 2020
Regular City Council Meeting @ 7:00 pm

I. **Call to Order**

II. **Roll Call**

Mayor Ryland Eichhorst, Councilor Trish Shields, Councilor Lori Novak, Councilor Nancy Quimby, Councilor Carl Krause, City Engineer Joe Palen

III. **Approval of Agenda**

Mayor Ryland Eichhorst stated under parks and trails #3 Prairie Seed Garden Park, he would like to move it up.

Councilor Trish Shields motioned to approve the agenda with Councilor Lori Novak seconding it.

All in favor 4-0

IV. **PUBLIC FORUM** (3- minute time limit per person) "The City Council welcomes and encourages participation from community members. Please keep in mind that your comments must be pertinent to City business and must adhere to Data Privacy Rules, no employee's name may be used. Please do not expect action from the Council this evening regarding your concerns. We also request that your comments be limited to three (3) minutes. Speakers will be recognized only once. At this time, we ask that anyone who would like to address the City Council to please step up to the podium and state your name and address and fill out the form provided."

Closed Public Forum 7:04 pm

V. **DEPARTMENTS & COMMITTEE REPORTS**

A. OCSO – Sgt Melinda Hanson

B. FIRE DEPARTMENT * - Dan Sundt, Fire Chief

1. Runs: 3

Dan stated they had two gas leaks from Bevcomm and a sprinkler alarm at the RV place and it was a false alarm.

2. Remove Jason McCoy & Michael Vreeman from the Department.

Dan Sundt stated that the two of them refused to respond to his reaching out and refused to communicate or come back.

Councilor Trish Shields motions to remove with Councilor Lori Novak seconding it.

All in favor 5-0

Motion carried.

3. Approve new member Zachary Dunford

Dan Stated we have a new guy who just finished Fire School in Wisconsin, and he's ready to go and does not need any schooling or training.

Councilor Trish Shields motioned to approve; Councilor Carl Krause seconded the motion.

All in favor 5-0

Motion Carried

4. Bills

5. Membership Dues

6. Meeting Minutes

C. FIRST RESPONDERS* - Chris Inman, 1st Responder Director

1. Runs: City- 7, Township - 3

D. EOC - Pat McGovern, Director

No News is good news Dan Sundt stated.

E. PERSONNEL/COMMUNITY CENTER:

1. Delta Dental Insurance 2021 - Staff

Mayor Ryland Eichhorst stated we discussed the Dental Insurance earlier and we have planned for it in the Budget for 2021 for all four staff at the City of Oronoco, with the family cost being \$148.92 and Individual cost being \$37.87 and being covered 100% for employees.

Mayor Ryland Eichhorst motions to approve the Delta Dental Premier PPO for the City of Oronoco starting in 2021 budget, Councilor Trish Shields seconds it.

Councilor Lori Novak feels it should be fair across the board.

Mayor Ryland Eichhorst accepts the amendment of 100% of the Employee Share of Delta Dental going forward.

All in Favor 5-0

Motion Carried

2. Mayor & Council Pay Increase 2021.

Mayor Ryland Eichhorst stated we did some research on Salaries for Mayor and City Council through the League of MN cities, as well as local smaller communities our size. He would like to table it until the October meeting.

3. Two Council Meetings per Month

Councilor Trish Shields feels we all have lives, and our Meetings are getting longer each time and is stretching late into the evening. Councilor Trish Shields feels we, as a Council, are ready for a change. Mayor Ryland Eichhorst states he thinks another option is starting the Meeting earlier. Councilor Trish Shields feels we should be having two Meetings to avoid such long meeting and full agendas. Mayor Ryland Eichhorst feels the start time should go up. Councilor Lori Novak does not want a second Meeting, as it is taking her away from her family. Councilor Carl Krause feels things need to be tabled if needed.

Councilor Trish Shields motions we hurry the Meetings along faster and start them at 6:30 pm.

Councilor Nancy Quimby seconds it.

All in favor 5-0

Motion Carried.

4. Seasonal Employee Salary Raise

Mayor Ryland Eichhorst motions for Donnie to be moved from \$15.00 an hour to \$16.00 an hour for seasonal mowing.

Councilor Trish Shields feels it is too big of an increase, Councilor Carl Krause feels it is too much.

Mayor Ryland Eichhorst withdraws his motion and to table it until Spring.

5. City Hall Office – Bid Opening

Joe Palen stated that the bid came in at \$22,970.00 from Key Builders, it was above our estimate, but it appears Contractors are currently busy. Joe Palen stated that we reached out to nine contractors and only one submitted an estimate. Joe Palen stated this would be paid for by CARES Act funding and it must be completed by November 15, 2020. Joe Palen stated we have grant funding for this project. Councilor Trish Shields wants to know what kind of experience they have. Joe Palen stated they built Stantec's building and did a fine job.

Mayor Ryland Eichhorst asked how long it would take and Joe Palen stated it would take three weeks of work. Joe palen stated they wanted to order material ASP. Mayor Ryland Eichhorst stated he feels it's a safety issue and protects staff from COVID-19.

Mayor Ryland Eichhorst wants to make a motion to proceed with this improvement project from Key Builders, Councilor Trish Shields seconds the motion.

All in favor 5-0

Motion carried.

6. Personnel Committee

Councilor Lori Novak thinks of the past few months the Personnel Committee has been discussed continually, how can we move forward in a way to make sure that the Personnel Committee is documenting everything and is there a way we can get a report on this monthly Meetings. Councilor Trish Shields stated from her experience Personnel has Always been May and Vice Mayor and she also stated that the Agenda is published, and Meeting Minutes go out and are public as well. Councilor Trish Shields stated her and Mayo Ryland Eichhorst were together three times this past weekend to discuss all the new applicants and met again Monday and Councilor Trish Shields stated they technically could be accused of having a Meeting on the side and that is not what is happening. Councilor Lori Novak is not concerned regarding that portion of it, she is concerned about signing off on hours and documenting reviews and evaluations. Councilor Lori Novak wants to make sure they are signing off on hours and they checked them and paid attention to them. Councilor Lori Novak asked if we could review timecards and is it public record. Mayor Ryland Eichhorst asked Mike Flaherty to respond about the Personnel Committee comments and Ryland stated this is just like a standing Committee we are all on and there is always two Councilmen on every Committee. These two people are unable to make a motion but can recommend things to the Council. Mayor Ryland Eichhorst stated he investigated background salary information in 2015 – 2016 and thinks we should include more information. Councilor Trish Shields feels what Lori is eluding to is that some things were missed, and documentation was missed as well. Councilor Lori Novak feels things have come up that should not have happened. Councilor Lori Novak feels it needs to be transparent and it is not happening, and she feels it needs to be run like a business.

7. Personnel Policy

Mayor Ryland Eichhorst stated there is two pages in our policy (pages #14 and #23) that both need to be updated. Councilor Trish Shields feels this is a reaction to our lack of updating the policy and documenting information. Councilor Trish Shields feels when we change things, the policy should also be updated. Councilor Lori Novak motions to update our City Hall Hours in our Personnel Policy to Monday – Thursday 7-4 and Friday 7-11, The City Clerks hours will be set at 40 hours of Work. Councilor Trish Shields seconds it.

All in favor 5-0

Motion Carried.

Page #14 and Compensation, Over Time and Public Works.

8. CARES ACT – staff computers, Phones, Remote.

F. ORDINANCES & RESOLUTIONS

1. Preliminary Budget Resolution 2020-09

Mayor Ryland Eichhorst stated we have met a couple of times since the Budget Workshop and tweaked the numbers a bit. We are proposing a total levy of

\$937,639.00. Mayor Ryland Eichhorst stated we are estimating our tax capacity will increase 4.1% per household. Mayor Ryland Eichhorst stated we can fine tune our General Fund Levy a bit, but we have to keep them somewhat balance for our Tac Capacity.

Councilor Trish Shields is in favor of keeping taxes flat and low.

Mayor Ryland Eichhorst makes a motion to approve the resolution 2020-09, Councilor Lori Novak seconds it.

Voice Vote

Mayor Ryland Eichhorst- aye, Councilor Trish Shields – aye, Councilor Lori Novak – aye, Councilor Carl Krause- aye, Councilor Nancy Quimby-aye.

Motion carried.

2. CARES Resolution 2020-10, Update phone system and Network remote working

Mayor Ryland Eichhorst stated we have done what many local Cities are doing, and it qualifies for CARES Act funding. The cost for both being \$5,539.00. It a new phone system that will tie in the shop and Dan, as well as let us take City calls from home. It will also allow Staff to work remotely if the event that COVID-19 worsens, or a bad storm occurs. This will keep our residents served from the City Staff and make our City continue to run.

Councilor Trish Shields motions to accept this resolution, Mayor Ryland Eichhorst seconds it.

Councilor Trish Shields would like to remote situation to be emergent usage and not habit or for convenience.

All in Favor

Voice Vote

Mayor Ryland Eichhorst-aye, Councilor Trish Shields-aye, Councilor Lori Novak-aye, Councilor Nancy Quimby-aye, Councilor Carl Krause-aye

Motion carried.

3. Second Driveway Variance & Resolution 2020-12

Councilor Trish Shields stated it made a lot of sense due to the way the land is shaped and large enough to accommodate, does not cause and eye sore or any issues for the neighbors. P&Z recommends approving.

Councilor Trish Shields motions to approve, Councilor Carl Krause seconds it.

Voice vote

Mayor Ryland Eichhorst-aye, Councilor Trish Shields-aye, Councilor Lori Novak-aye, Councilor Nancy Quimby-aye, Councilor Carl Krause-aye

Motion carried.

4. Lot Split Resolution 2020-13

Joe Palen stated there are five conditions that need to be met and are on pages 1 & 2, and there was a continuation on bottom of page 2 either approving it or denying it and P&Z recommends approving it.

Mayor Ryland Eichhorst stated bottom of page 2 explains the criteria that needs to be met and option 3 needs to be looked at.

Joe Palen stated that we had to meet Subdivision ordinance and we have. We had to get a certificate of survey, that was also met. A roadway easement was also met, and this gives the property owner right to walk across.

Councilor Carl Krause feels we are wasting our time until we get sewer and septic figured out. Mayo Rylan Eichhorst stated he has a signed agreement with Dan Fitzpatrick on the sewer and septic and that is handled and done. Mayor Ryland Eichhorst state we also have the easement situation handled as well. Joe Palen stated we would have to review all this information and be sure that Mr. Tom Gauthier is handling the easement options, as we discussed. Councilor Carl Krause asked if Dan Fitzpatrick is even still involved with the sewer and septic up there after bankruptcy? Councilor Lori Novak and Councilor Trish Shields stated that they are nervous, wondering if this has been approved from the HOA. Tom Gauthier stated that the original permit was renewed in Dan's name in 2016 with the Health Department. Mayor Ryland Eichhorst thinks Riverwood Hills HOA has some concerns about adding a house but Mayor Ryland Eichhorst feels that is their business to deal with. Tom Gauthier stated that the system was made to hold 63 homes and there are only 58 homes. He said only half capacity is being used. Councilor Lori Novak asked Tom if the HOA had talked with him, and Tom Gauthier stated he had spoke with them all and is working with Attorney's on the project as well. Councilor Trish Shields stated to Joel Paled that this was not in the resolution but wanted to know if this home was going to be accepted into the Development and HOA? Joe Paled stated that Riverwood Hills does not own the sewer, but that Fitzpatrick own it and the homeowners pay him for usage. Councilor Trish Shields feels the HOA is concerned for a second access to this development. Councilor Lori Novak stated it was a development and she is afraid we do this and someone else does it and it keeps going. Mayor Ryland Eichhorst states, in his mind, he feels there is enough indication to make sure this is not an ongoing issue. Councilor Trish Shields stated there are other developments in the Community and they could all start requesting this. Mayor Ryland Eichhorst feels Tom Gauthier had spike with all the neighbors and there were no injections to this, and everyone was supportive to this. Mayor Ryland Eichhorst stated the only one upset about this is the HOA, due to the road access. Mayor Ryland Eichhorst stated all these requests are case by case and we must take them one at a time. Councilor Carl Krause stated, we must be concerned as we

must do this right and we do not want to get caught in a lawsuit. Councilor Trish Shields feels that the secondary road is critical, and it affects all the neighbors and everyone out there. Councilor Trish Shields states she heard no rejections, accept the road and septic, otherwise all were supportive. Councilor Carl Krause stated we have an ordinance that states no more roads up there, are we going to follow our own rules or throw them out. Councilor Lori Novak asked why we are o.k. with breaking our own ordinance and the easement brings back memories of not doing things right the first time and pay a lot of money to get things done later from making to quick of a decision. Councilor Trish Shields stated that the City Attorney stated the way our Ordinance was written, there are loopholes to allow this depending on how it is written. Councilor Carl Krause feels Mike's letter is pretty "wishy washy" and he would like to see him at a Meeting. Joe Palen stated the property is already annexed into the city.

Councilor Lori Novak stated, you were going to build on parcel A right away and not build on parcel B until the development is running?

Councilor Trish Shields stated she has been down that road with Fitzpatrick on option one in the past and she feels it is a bad option.

Mayor Ryland Eichhorst stated, if we did take first choice that would cost the City money to review it and process it. Councilor Carl Krause stated, we might be saving a few dollars on not having a City Attorney here. Tom Gauthier stated he is not Dan Fitzpatrick and he has been screwed over by him many times over the years and he state he will pay for half of the street when the time is right. But do not assume he is Dan Fitzpatrick. Tom stated, when the land is sold and developed, it will all be done correctly, and the roads will be done. Councilor Carl Krause stated you have been saying this for fourteen years. Tom Gauthier stated that he is not developing the land, he has it for sale and is waiting for the right buyer. Mayor Ryland Eichhorst stated once we get a sewer system the land will be developed.

Mayor Ryland Eichhorst motions we accept resolution 2020-13 in that motion under point 3, that we grant a vocable license with a 66-foot easement and under point 6, for additional conditions, we add stipulation on point 2.

Councilor Trish Shields seconds for discussion

Additional conditions point 6, that this home to be built on lot A, will become part of the development on lot B. My intent here is to make sure that this home is part of a development and subject to those conditions of lot B. Councilor Carl Kruse wants to know who is going to pay the legal fees, Councilor Trish Shields stated lot A.

Mayor Ryland Eichhorst approves the amendment to the motion.

Mayor Ryland Eichhorst wants to know the rationale for that comment? Councilor Trish Shields want that house to be part of the development, so that they are involved in the HOA. So, when this land is developed, this house becomes part of the development. Joe Palen stated this is a fairly simple thing and there are some things we need to handle that are very routine.

Tom Gauthier needs to do an easement agreement, at his own expense, right of way agreement, legal descriptions in place and needs to be granted a license agreement, pay the cost of connection from lot A to the water system.

Councilor Trish Shields states she has one more friendly amendment, to add which fees are to be responsible by lot A.

Mayor Ryland Eichhorst states he agrees to that additional condition.

Councilor Carl Krause feels this ordinance does not meet the criteria for the lot split period.

All in Favor

Voice vote

Mayor Ryland Eichhorst-aye, Councilor Trish Shields-aye, Councilor Nancy Quimby-aye, Councilor Carl Krause-naye, Councilor Lori Novak-naye.

3-2

Motion carried.

G. DOWNTOWN ORONOCO GOLD RUSH DAYS* - Chair: Mayor Ryland Eichhorst

H. PARKS & TRAILS* - Katie Dudley, Chair

1. Oronoco Park Camping Improvements

Mayor Ryland Eichhorst stated that one night of camping, with sewer, at Hidden Meadows Campground was \$38. Mayor Ryland Eichhorst state in our discussion, if all 8 spots should be in seasonal spots or should we keep a couple back for weekend campers or rough camping. Mayor Ryland Eichhorst state he wants to know is we want Joe Palen to start a feasibility study. Councilor Carl Krause feels we should table this until we get sewer. Councilor Lori Novak feels we should do the study for just electric and water.

Councilor Trish Shields is stepping down due to personal conflict.

Joe Palen said it would cost around \$2,500 - \$3,500 to do the study.

Councilor Lori Novak motions to do the study for electrical and water for us, up to \$3500, for 8 seasonal spots of possibility of 4, Councilor Nancy Quimby seconds it.

All in favor 4-0

Abstain – Councilor Trish Shields

Motion Carried.

2. Zumbro River Regional Water Trail – Operation Roundup Application for \$4,600

Mayor Ryland Eichhorst stated that budgets have been tight on the County level and SEH engineering would be handling the mapping and surveying the end of 2020. Mayor Ryland Eichhorst stated it does not cover all the costs, but we want to demonstrate to the County that we are doing what we stated and proving it to them. Mayor Ryland Eichhorst stated SHE would have to complete the work and invoice the City and the grant would reimburse us.

Mayor Ryland Eichhorst motions to proceed with operation roundup for the \$4,600, Councilor Lori Novak seconds it.

All in favor 5-0

Motion approved.

3. Garden Park – Prairie Seed

Councilor Trish Shields would like to spend up to \$500, out of the tree budget, to plant these seeds to get prairie grass.

Councilor Trish Shields motions for this, Councilor Carl Krause seconds it.

All in favor 5-0

Motion carried.

I. PUBLIC WORKS

1. Radar Speed Sign – Solar Powered

Mayor Ryland Eichhorst stated this is a sign detector to monitor speed and purchasing two of them, for \$3,000 each, and there is a State Farm Grant we can apply for, for \$5,000 that would pay for almost all of it, with a \$1,000 leftover that the City would have to pay.

Mayor Ryland Eichhorst wants to put one on Minnesota Ave by the Church going North bound and the second one by 4th street.

They are solar powered, and we could also do them on Lake Shady Ave, as well or East Center street.

Councilor Carl Krause motions to purchase signs if we get the grant for \$5,000 toward the \$6,000 total.

Councilor Carl Krause withdraws his motion, and we will table until October.

J. STREETS & ROADS*

K. PLANNING & ZONING*

1. Lot Split

2. Tiny Homes

P&Z has been working on Tiny Homes for some time and would like us to review this Ordinance. Councilor Trish Shields stated, if they are trailers or have wheels, they must be made immobile and the wheels be taken off and put on a slab foundation. Mayor Ryland Eichhorst stated we would set a Public Hearing at the October City Council Meeting. Public Hearing, October 20, 2020 at 6:30 pm

Mayor Ryland Eichhorst stated that we make a motion to announce it, Councilor Trish Shields seconds it.

All in favor 5-0

Motion carried.

3. Variance – 2nd Driveway

L WATER & SEWER*

1. Septage Receiving design from the wastewater treatment Plant Update.

Mayor Ryland Eichhorst stated Water & Sewer stated they would have Dylan review this plan and will review this at the Water & Sewer Meeting in October.

2. Wastewater Update

3. Bonding Bill Update

4. 2021 Water Fee Increase – 3% increase.

Mayor Ryland Eichhorst stated Mike Bubany recommended increasing it.

Mayor Ryland Eichhorst makes a motion to increase the base charge 3%, from \$17.75 to \$18.28, which is a .53 cent increase. Councilor Lori Novak seconds it.

Mayor Ryland Eichhorst stated we borrowed \$230,000 for water funds; we have to increase to pay off our debts from raising the water for PFA.

Councilor Carl Krause feels our penalty is too high.

Mayor Ryland Eichhorst stated comments are spot on and now we have a system that was built in 2009

Mayor Ryland Eichhorst stated we have 380 users and PFA helps us out.

Mayor Ryland Eichhorst motions for increase, Councilor Lori Novak seconds it.

All in favor 5-0

Motion carried.

VI. **PETITIONS, REQUEST & COMMUNICATION**

X. **UNFINISHED BUSINESS**

XI. **NEW BUSINESS**

XII. **COMMITTEE APPOINTMENTS**

XIII. CONSENT AGENDA*

a. APPROVED BUILDING PERMITS

1. 790 River Park Lane – Mechanical
2. 310 12th Lane SW – Mechanical
3. 1270 Valley View Lane SW – Mechanical
4. 619 Zumbro Hills Drive SW – Mechanical
5. 813 River Park Lane – Fireplace
6. 1175 Riverwood Drive SW – Mechanical
7. 1150 Chenoa Lane SW – Swimming Pool
8. 220 2nd Ave NE – Siding
9. 215 East Center St SE – Remodel
10. 708 Timberline Dr SW – Screen Porch
11. 305 12th Lane SW – Mechanical
12. 1145 W Center Street NE – Reroof
13. 310 1st Place SW – Reroof

Mayor Ryland Eichhorst motions, Councilor Lori Novak Seconds it

All in favor 5-0

Motion carried.

B. TASK LIST: updated

C. MEETING MINUTES

1. Parks 8-10-20
2. First Responders 8-13-20
3. Gold Rush
4. Fire Department 8-13-20
5. Water & Sewer 8-13-20
6. Planning & Zoning 8-14-20
7. July 21/Aug 6 City Council Meetings
8. Aug 5th City Council Meeting

D. FINANCIALS

1. Pine Island Account Summaries
2. Budget: available at the office for review
3. Accounts Payable
4. Account Receipts

XIV ADJOURNMENT

Mayor Ryland Eichhorst motions to Adjourn, Councilor Lori Novak seconds it

9:36 pm

All in favor 5-0

Motion carried.