

Oronoco Town Board  
Monthly Meeting Minutes  
June 10, 2024

Minutes of the regularly scheduled meeting of the Oronoco Town Board held on **Monday, June 10, 2024** at 5:30p.m. at the Oronoco Community Center, located at 115 Second Street SW, Oronoco, Minnesota.

Supervisor Ken Mergen called the meeting to order at 5:30pm.

**Pledge of Allegiance**

**The agenda was accepted as presented.**

**OTV 24-01, Drew & Dana DeWitz – 15 125th Street NE – Rochester, MN 55906**

This meeting was previously noticed and advertised but the decision was tabled at the May 13th, 2024, meeting due to changes in the variance request. An application for variances to the criteria for the construction of an accessory building in an R-1; Low Density Residential District. The applicant wishes to replace an existing accessory structure with a new structure that is both larger and taller than allowed by the ordinance as well as being closer to the road than allowed by the ordinance.

Proposed Accessory Building Size:

1,904 sq.ft. – 1,500 sq.ft. allowed – 404 sq.ft. variance.

Proposed Accessory Building Height:

17.58' – 15' allowed – 2.58' variance.

Proposed Distance to Road Right-of-Way:

10' – 30' required distance to right-of-way – 20' variance.

Note: At the May 13th, 2024, Town Board meeting the Board discussed the potential of abandoning this section of 125th Street as it only serves two dwellings. If the road is abandoned, it would eliminate the applicant's need for a variance to the front yard setback. The applicant still wishes to go forward with the setback variance so he can get his building constructed this year.

**Conclusion:**

Staff has reviewed the variance request(s) in accordance with the Oronoco Township Ordinance Section 4.08 – Variances. While not all six criteria are explicitly met, the Board of Adjustment should consider the information contained herein, potential comments from Reviewers and any potential public comment before deciding whether this proposal should be granted.

**This information was taken from the TCPA packet and is only a portion of the document. The entire document can be found at TCPA or the Oronoco Township Clerk, Jody Schroeder.**

David Meir, TCPA, addressed the board and discussed changes to the variance from the May 13, 2024 tabled meeting. Mr. Meir stated that another public hearing was advertised. TCPA did not receive any comments from the readvertised public hearing. It was noted that not all criteria are met but reviewers had no significant concerns for this variance. Mr. Meir reminded the board

that this variance would require a shoreland development packet through Olmsted County, completed by the homeowners.

**Supervisor Mergen opened the public hearing for OTV 24-01, DeWitz.** Supervisor Mergen asked three times for comments for or against **OTV24-01. With no one wishing to be heard, Supervisor Mergen closed the public hearing.**

**There was a motion by Supervisor Matzke to approve OTV 24-01, DeWitz, based on recommendations by TCPA staff, seconded by Supervisor Mergen. The motion was carried unanimously.**

**Resolution 2024-04, Oronoco Township Planning Zoning Text Amendment, Articles 8 & 10**

The current version of Oronoco Township's Zoning Ordinance, updated May 19, 2022, lacks definition regarding uses allowed by a conditional use permit in section 8.09.2. This lack of definition has led to undesirable uses that do not meet the intent of the ordinance. This version also erroneously omitted "Criteria for Consideration in approval of Conditional Uses:" for both Zoning Districts 8.09.1.D & 8.09.2.D.

**Conclusion:**

Your planning commission held a public hearing on May 20, 2024, to consider these changes and has recommended approval as presented. Based on staff review and analysis as listed above, staff also recommends approval.

**This information was taken from the TCPA packet and is only a portion of the document. The entire document can be found at TCPA or the Oronoco Township Clerk, Jody Schroeder.**

**There was a motion by Supervisor Mergen to approve Resolution 2024-04, Oronoco Township Zoning Ordinance, Articles 8 & 10, seconded by Supervisor Johanningmeier. The motion was carried unanimously.**

Supervisor Mergen asked David Meir, TCPA, if there should be a time limit to a variance. Mr. Meir stated that if there was a change to the variance, it could not be used and would require a new variance to be written.

**657 White Birch Court NW**

David Meir stated that TCPA received a call from Tricia Torrens-Burton. She has a wooded lot and grows Hosta. She installed an 8' fence to keep the deer from her gardens. Mr. Meir stated he has no concerns about this but wanted to make the board aware of this and see if they had any concerns. The board doesn't feel there is an issue with this.

**Boelter Land Use Amendment**

David Meir, TCPA, stated that Mr. Boelter would like a land use amendment to put one more lot in the resource protection area. This would change the land use from resource protection to suburban subdivision if it the change is approved by Olmsted County.

**Supervisor Mergen made a motion to support the Land Use Plan Amendment from resource protection to suburban development, seconded by Supervisor Johanningmeier. The motion was carried unanimously.**

### **Demarino Access Permit**

Clerk Schroeder received access permits for Thomas Demarino driveway prior the meeting, June 10, 2024. This will be put on the agenda for July 8, 2024.

### **Road Report**

Scott Schumacher stated that blading has been done and chloride is down. Schumacher installed more signs by Uncle Johns because they were faded. Schumacher also recommended replacement of signs at 125<sup>th</sup> St NE and Shorewood Ln NE. Supervisor Mergen asked Schumacher to wait on sign replacement here as it should have already been done by Olmsted County Public Works. Clerk Schroeder will look into this. Schumacher provided an estimate for 125<sup>th</sup> St NW hill reconstruction at the intersection of Cty Rd 127. The board is not ready to make a decision on this until summer road projects have been finalized.

### **Timmerman Driveway**

Josh Mickelson, realtor for Kathy Timmerman, 575 Kings Park Rd NW, stated the second driveway on the property has been in existence prior to the purchase of the property in by Mrs. Timmerman in 2005. Mr. Mickelson shared an aerial image with the board showing both driveways on the property in 2007. Supervisor Mergen stated that any improvements to the second driveway must come before the board for a variance. Supervisor Matzke will redraft a letter stating that the second driveway can remain but any improvements to the second driveway must come before the town board.

### **Sign on Frederichs Drive NW**

Scott Schumacher stated that the new signs that were installed on Frederichs Drive NW. Within five days he received a call from a homeowner, in the cul de sac, stating that the school bus, First Student, had run one over. Schumacher said they had to put up a new post. If this happens again, the township will draft a letter to send to First Student for reimbursement of the sign, post, and labor costs.

### **Minutes Approval**

#### **Monthly meeting minutes, May 13, 2024**

Supervisor Johanningmeier would like clarification in the Floodplain and Shoreland Ordinance, Memorandum for understanding section of the minutes. Supervisor Johanningmeier would like the township to have first comment along with Olmsted County and then send to the DNR for review.

**There was a motion by Supervisor Mergen to approve the minutes for May 13, 2024 monthly meeting with further clarification to the Floodplain and Shoreland Ordinance, Memorandum for understanding section of the minutes, seconded by Supervisor Matzke. The motion was carried unanimously.**

#### **Treasurer's Report-Brandi Lind**

The YTD Statement of Receipts, Disbursements and Balances as of May 31, 2024 shows: receipts \$75,003.91, disbursements \$776,265.86 with an ending balance of \$1,108,894.55.

**There was a motion made by Supervisor Mergen to approve the treasurers report in written form, seconded by Supervisor Matzke. The motion was carried unanimously.**

Treasurer Lind stated that the interest rates at Frandsen Bank do not compare with other area banks. She asked that the board consider this as the interest on accounts at Frandsen Bank are minimal. The highest interest rates are currently at Eagle Rock Bank and guaranteed through the end of the year.

**There was a motion by Supervisor Johannigmeier to move all accounts, (checking, savings, money market and developer savings along with the safety deposit box), to Eagle Rock Bank, seconded by Supervisor Matzke. The motion was carried unanimously.**

#### **Approval to pay payroll and claims including electronic transfer**

**There was a motion made by Supervisor Mergen to approve the payroll and claims, including electronic transfers, for June 10, 2024, seconded by Supervisor Matzke. The motion was carried unanimously.**

#### **Lake Zumbro Forever**

Supervisor Matzke stated that the Lake Zumbro Forever Inc. now qualifies for a land transfer for the Kings Park land from Oronoco township to that entity. Attorney Ruppe and LZFI are finalizing some documents. Supervisor Matzke asked Clerk Schroeder to compile attorney invoices, from Couri and Ruppe, so that the board can submit to Lake Zumbro Forever Inc. for reimbursement.

#### **Flashing stop sign at 18<sup>th</sup> Ave and 102<sup>nd</sup> St**

Supervisor Matzke stated that there is still concern from residents about the intersection of 18<sup>th</sup> Ave and 102<sup>nd</sup> St. Supervisor Matzke called Olmsted County Sheriff's Department, there was extra enforcement in the area.

**Supervisor Mergen made a motion to have Schumacher find a flashing stop sign and install, for a cost of \$250 plus installation, at the intersection of 18<sup>th</sup> Ave and 102<sup>nd</sup> St, seconded by Supervisor Matzke. The motion was carried unanimously.**

### **Yield Sign at 4<sup>th</sup> Ave NW**

Supervisor Matzke stated that traffic is not stopping or looking at 4<sup>th</sup> Ave NW. Supervisor Mergen stated that it would be best to have north and south traffic stop.

**There was a motion by Supervisor Mergen to install 2 stop signs at 4<sup>th</sup> Ave NW and King's Park Road, taking one existing stop sign from 18<sup>th</sup> Ave and 102<sup>nd</sup> St and ordering one new one, seconded by Supervisor Johanningmeier. The motion was carried unanimously.**

### **OTPAC-Supervisor Matzke**

#### **Minnesota Association of Townships Town Law Review**

Supervisor Tammy Matzke attended the Minnesota Association of Townships town law review on May 31, 2024.

#### **Markham Farm Development**

Bill Tointon, WSE Engineer, presented the Markham Farm Development to OTPAC. The land is in a special district. There would be 54 homes developed. This is still in preliminary stages.

#### **Moratorium on new multi lot residential developments**

Supervisor Matzke stated that OTPAC will be making a decision on Monday June 17, 2024 about another year moratorium on new multi-lot residential developments.

#### **Oronoco Township Halfway Houses and Assisted Living Homes**

There is a half way house on 18<sup>th</sup> Ave. There are currently 30 violations on this property. Supervisor Matzke has called Olmsted County to question these violations and heard nothing back yet. OTPAC Special Project Representative Lynn Koenig stated that in Minnesota, everyone has a right to live somewhere. There is a lot of research to be done on halfway houses and assisted living homes. Supervisor Matzke and OTPAC Special Project Representative Lynn Koenig will continue to work on this.

#### **Oronoco Auto Parts**

Supervisor Matzke stated that they MPCA is still working on this. The preference is to clean up the site. There is no new court date yet.

#### **Pine Island Community Planning Team**

There will be no meeting again until August.

#### **OCTOA-Supervisor Johanningmeier**

#### **District Meeting**

There is a district meeting August 6, 2024 in Caledonia.

### **Township Day**

Supervisor Johanningmeier reported that there was low turnout at the State Capitol for Township Day. There were 2 people out of Olmsted County in attendance.

### **Zone Change for Mini Storage**

Supervisor Johanningmeier stated there was an approved zone change for mini storage East of Highway 14.

### **Cannabis Discussion**

Supervisor Johanningmeier stated that Olmsted County Sheriff's Department is testing 2 mobile testing units. The mobile testing units would not be available for another year. Supervisor Matzke noted that Cities and Counties are responsible for cannabis permits. Supervisor Johanningmeier also noted that there are only so many cannabis businesses allowed per capita.

### **Draft Finalizing Right of Way with Olmsted County**

Supervisor Johanningmeier presented a map to the board with the draft right of way changes for Olmsted County.

### **Proposed Bridge Construction and Reconstruction**

Supervisor Johanningmeier presented a map to the board with the proposed bridge construction and reconstruction for Olmsted County. There is one bridge in our area that could potentially be removed.

### **7508 Safari Court, Citizen Letter**

Clerk Schroeder received a letter from a concerned neighbor to 7508 Safari Court. OTPAC Special Project Representative Lynn Koenig stated that there are no obvious concerns with this property, everything looked neat. Mrs. Koenig stated that there is a retention pond and suggested that varmints and snakes may be coming from this and not the suggested property. Supervisor Johanningmeier did not see any noxious weeds on the property. The board found no validity to this claim and no action will be taken at this time.

### **Clerk Notes**

#### **2023 population and Household Estimates**

There was no concern with the 2023 population and household estimates sent by the Minnesota State Demographic Center.

#### **Citizen Phone call from Oronoco Estates Resident**

Clerk Schroeder received a call, June 10, 2024, from a citizen at Oronoco Estates. She stated that she would like to know about the sewer and water project. She would like to know who is paying for this project and stated that she has some real concerns about the project. Supervisor Matzke and OTPAC Special Project Representative Lynn Koenig will be the point of contact for Oronoco Estates Residents at this time. Lynn Koenig will give her a call back and tell her to

contact the City of Oronoco. Lynn Koenig will also reach out to Jason Baker, City Administrator for Oronoco, to relay the concerns this citizen addressed.

**Election training**

Clerk Schroeder will attend training for elections on June 14, 2024.

**Board Member Comments**

**Minnesota Avenue**

There is concern on that state of the ditches on Minnesota Ave, there are a lot of thistles and weeds. Supervisor Johanningmeier will reach out to City Engineer Joe Phalen to address these concerns as ditches were supposed to be re-seeded with grass.

**There was a motion made by Supervisor Matzke to adjourn the meeting, seconded by Supervisor Mergen. The motion was carried unanimously. The meeting adjourned at 8:55pm.**

Respectfully Submitted:

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Clerk Jody Schroeder

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Tammy Matzke

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Ken Mergen

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Joel Johanningmeier