

Administrator/Clerk's Report

To: Mayor and Council

From: John M. McCarthy

Date: January 14, 2008

Consent Agenda

Approve Live Music/Entertainment and Amusement Machine Licenses for 2008: The applications from Dawn's Corner Bar and L&M are renewals for the licenses. There were no identified problems in 2007. Cigarette and Liquor licenses are acted on separately.

Resolution 2008 – 01 Designating Official Depositories: City Code and Minnesota Statutes 118A.02 require the City to select an official depository for city funds. This is the same resolution as was adopted last year.

Name Official Newspaper: City Code and Minnesota Statutes 412.831 requires the city annually designate a legal newspaper of general circulation as its official newspaper.

Approve Mill Towns Trail JPB 2008 Budget: The budget for the Mill Towns Trail Joint Powers Board must be approved by each of the board's governmental units. Each entity pays a prorated amount to cover insurance, workers comp and audits. The amount has been \$200.00 per year. I recommend approval of the 2008 Budget for the Mill Towns Trail JPB.

Reappoint members of the Park and Recreation Advisory Board: The Terms of Park Board members Tom Seesz and Shari Sneary expired at the end of 2007. There are no applications for the positions. I recommend reappointing Tom and Shari to a full three year term as provided in 304.01 A(3). Council Member Mazurek's one year term also expires. I recommend reappointing Tresa for one year as provided in 304.01 A(1).

Reappoint members of the Dundas Planning Commission: Larry Kiesler's term is up and no-one has applied for the position. I recommend reappointing Larry to a four year term as provided in 301.02(A)4. Council Member Cruz's one year term also expires. I recommend reappointing John for one year as provided in 302.02 A(3).

Appoint Acting Mayor: City Code and Minnesota Statutes 412.121 requires council to choose an acting mayor to perform the duties of mayor during the disability or absence of the Mayor. Mary Amy is the current acting mayor.

Special Action SEH. This is the bill for work done to insure the integrity of the Bridgewater Heights water tower when Cingular/ATT installed their antenna. These costs will be billed back to Cingular in accordance with the agreement.

Special Action Valley Paving: Payment #6 is not the final payment. There is still some work which needs to be done and we are retaining funds to make sure it is properly completed. Staff recommends approval.

Unfinished Business

Set 2008 wages for non-exempt employees not covered by collective bargaining units. The wage discussion has been laid over from the December Council meeting. City Council has met to discuss wage adjustments for non-union, non-exempt employees. In my experience, it is common for employers to use wage and benefit programs established by collective bargaining as a base for setting the wage and benefit program for non-union employees. The only bargaining unit we currently have is the Police Union. Under the City's current contract, the covered full-time employees received a 3% increase on July 1, 2006, a 3.1% increase on January 1, 2007 and will receive a 4.3% raise on January 1, 2008 for a total adjustment of 10.8%. Non-union, non-exempt employees received a 4% increase on July 1, 2006 and have not received an increase since then. I am suggesting only the Chief of Police and the Administrative Assistant be adjusted at this time. I have reviewed both employees and find they are assets to the City and go above and beyond their job descriptions. The Public Works Superintendent is a new position and the wage should anticipate the 2008 amount. The Financial Assistant has not completed the six month probationary period and any adjustment should occur upon the successful completion of the period. I am recommending a 6% increase for the Administrative Assistant and the Chief of Police. This would bring the total wage adjustment since July of 2006 to 10.2% which is slightly less than amount the union employees receive by contract. The budget approved on December 20, 2007 includes provisions for the recommended increases. At the Council work session to discuss wages, discussion indicated a 0 to 2% adjustment would be more appropriate than the recommendation of the Administrator. Council will be able to review the pay equity report and make sure it fits the needs of the City before it is submitted to the State.

Motion by _____, second by _____ to adjust the 2008 hourly wage for the Chief of Police and the Administrative Assistant by _____%, effective January 1, 2008.

New Business

Resolution 2008 – 02 Appointing City Attorney: Council has met with Paula Callies of Callies Law, PLLC and David Ludescher and Vicki Dennis of Grundhoefer, Neuville and Ludescher, P.A. in regards to the position of City Attorney recently vacated by Tom Neuville. (Motion)

Resolution 2008 – 03 Approving a Joint Powers Agreement for SCDP: The City has been notified that the joint pre-application for a Small Cities Development Program (SCDP) has been accepted. Faribault and Dundas need to approve a joint powers agreement and submit a final application by January 31, 2008. Peter Waldoock from Community Development will explain the program. We need to begin the pre-application process for the program. I recommend approval of the joint powers agreement pending review by the City Attorney. (Motion)

Approve 2008 Cigarette License Renewals: Firehouse Liquor, K-Mart, Corner Mart, Dawn's Corner Bar and L&M Bar and Grill have all applied for renewal of their cigarette license. (Motion)

Board appointments: Bridgewater Township has forwarded the names of Stephanie Hendrickson and Bruce Morlan to the City as selections to fill a seat on the Dundas Planning Commission. (Motion)

Request meeting with Northfield in regards to wastewater treatment: Both the City and Northfield have received and accepted the Comprehensive Sanitary Sewer Plan. Both Mayor Marks and former Mayor Switzer have suggested we take the next step in planning for the future. A suggestion would be to request that Dundas and Northfield create a joint committee to review and recommend a process and time line for the additional treatment capacity which will be required by the planned growth of the region. I suggest the committee be made up of one or more persons from each city who are elected, administrative and professional/technical. (Motion)

Communication: Mayor Marks has recently changed his cell phone service to include e-mail via Blackberry. This has provided better communication with Chad on matters concerning the City. The cost of the Blackberry e-mail/web service is \$39.99 / month plus fees and taxes; this does not include the regular cell service. Currently, the City reimburses the Administrator \$35.00 / month for the use of his personal cell phone for city business. I am recommending reimbursing Mayor Marks \$35.00 per month for e-mail/cell use. (Motion)

Administrator's Report

Bridgewater Township Planning: We have recently had several communications with Bridgewater Township and staff concerning planning and building in the annexation area.

Citizen Complaint: A citizen, Lyle Koester, has submitted a signed complaint in regards to Council Member John Zander's residency. Mr. Koester questions whether John is a resident of the City of Dundas. I informed John of the complaint on December 20 and he met with Tom Neuville after the December 20th council meeting. At that time Tom provided John with a copy of the complaint and a memo which he had prepared. Tom specifically referenced Minn. Stat. 351.02(4) and Minn. Stat. 412.191 as instructive on how residency is determined. It is my understanding Minnesota Statutes 200.031, also referenced by Tom, has been used by other cities to assist in defining residency for purposes of serving in elective office. In accord with the complaint policy, Mr. Koester was informed as to the status of the complaint on December 29, 2007 and provided with a copy of the information council has received. Tom suggests three possible courses of action (3-A,B and C) in his Memo dated December 20, 2007. I recommend council consider one of the 3 possible courses of action presented by former City Attorney Neuville to resolve this complaint.

Work Session: The City Council held a work session on Saturday, January 5, 2008 where they discussed a work program and time line for 2008. Everyone worked to identify priorities for the City and began to establish a program to accomplish the priorities. The consensus of the work session was to have a monthly work session on the first Monday of each month.

Financial Report: A very preliminary report for 2007 shows that our General Fund revenue was \$839,397 or \$66,701 more than budget. General Fund expenses totaled \$727,129.00 or \$21,410 more than budgeted.

Springstead: Tom McMahon, Joe Zignego and I met with representatives of Springstead on January 8, 2008. Patty Kettles presented the draft CIP program; we reviewed and requested some minor changes will make the program more flexible. Bruce Kimmel explained some of the Dundas specific information and why the program worked in certain ways. Patty installed the program in one of our computers and I will begin entering some of last year's information and our budget for 2008. My goal is to have the program up and running by the end of January. Bruce then reviewed what Tom and I anticipated our bonding needs will be both in the 429 (Railway St. Bond) and the additional cost incurred due to the SCADA system which were not included in the 2006 bonding.

Police Department: I've met with Chief Minke to discuss another full time officer. He is working with staff to try to determine what some alternative schedules may be which will provide for the maximum protection for the City. We intend to meet with Finance and Legislation to review the impact on city finances.

The City has received the \$1,500 grant for the AED. The total cost of the Defibulator to was \$2,351.79 with the city portion coming from police capital.

The City has received the \$1,535 equipment grant from Safe and Sober for the purchase of the LIDAR. The total cost is \$3,045 with the City portion coming from forfeiture funds.

Chief Minke has begun a background investigation for selected part time officer candidates.

Special Election: Kevin Dahle was the winner of the special election to replace Tom Neuville in the Minnesota Senate District 25. Representative David Bly has informed the City he wishes to

attend the January 28th council meeting and has invited Senator elect Dahle to attend with him. I have placed Representative Bly on the agenda and will also invite Senator Elect Dahle.

Water Meter Replacement: We will be beginning the water meter replacement program instituted in 2005. The city has fallen behind the schedule established when the program began. The radio read meters which have been installed so far have proven their worth in accuracy and time saved by both the property owner and city staff. The cost of the meters keeps increasing faster than inflation so the sooner the meters are installed, the cost is less for the property owner. Replacement meter cost \$368.99; replace head only (based on usage) cost is \$331.60. The owner can elect to pay in one payment or have the cost spread over 12 months. As of the end of the year, 170 residential, 28 outside, and 33 business meters are remote read. There are about 330 residential meters left to install plus 6 businesses which have not converted. To insure a better price, the City had to guarantee purchase of a quantity of meters during the year.

Utilities: Rate will run again in the *Dundas Messenger* as there was an error in the printing on rates. Increase will show on the January utility bill.

2008 Garbage carts sizes and cost is:

35 Gallon Cart \$13.30 monthly plus garbage tax \$1.30 = **\$14.60**

64 Gallon Cart \$14.68 monthly plus garbage tax \$1.43 = **\$16.11**

96 Gallon Cart \$17.76 monthly plus garbage tax \$1.73 = **\$19.49**

Residential: Water Base Rate: \$ 7.00 per month

Water Usage Rate: \$ 2.45 per 1,000 gallons with minimum usage charge of \$7.35/mo

Water Minimum: \$14.35 monthly (based on 0-3,000 gal)

Sewer Base Rate: \$12.00 per month

Sewer Usage Rate: \$ 6.25 per 1,000 gallons with minimum usage charge of \$18.75/mo

Sewer Minimum: \$30.75 monthly (based on 0-3,000 gal)

Commercial/Industrial/Pubic: Water Base Rate: \$ 10.00 per month

Water Usage Rate: \$ 2.55 per 1,000 gallons with minimum usage charge of \$7.65/mo

Water Minimum: \$17.65 monthly (based on 0-3,000 gal)

Sewer Base Rate: \$13.00 per month

Sewer Usage Rate: \$ 6.50 per 1,000 gallons minimum usage charge of \$19.50 /mo

Sewer Minimum: \$32.50 monthly (based on 0-3,000 gal)

\$5,326.77 represented the amount certified to Rice County on 16 delinquent utility accounts. This amount will be the owner's 2008 property tax statement. (Last year one account was certified.)

Wastewater Treatment: The City of Northfield has informed us the rate to treat 100 cu. ft. of normal domestic waste water will increase from \$2.709 to \$2.872 on March, 1 2008. The rate will increase to \$2.984 / 100 cu. ft. on January 1, 2009.

Habitat for Humanity: Bill Lindstrom, Habitat for Humanity, asked if the city has met on how the City may want to work with Habitat. They are interested in the Railway Street lot and have purchased a lot from College City Homes in the Millstone/Stoneridge developments. Habitat has requested information as to what type of consideration, if any they may receive.

Trailhead: The City has received \$42,945.50 from Rice County / DNR Trail Bond for the trailhead construction. Staff is in the process of completing the paper work to apply for the remaining grants. The City has also received a letter from Tracy Vibo, Grant Coordinator, MNDNR has acknowledged the completion of the project and sent a sign to be posted at the site. The City was notified on Friday that the \$53,000.00 Trails and Waterways Grant will be electronically paid. This should show up in our account by Monday.

Assessment for Railway Street Improvements: The city has received the first of 15 annual payments from the Sawyer Family Trust for the Railway Street Improvements. The payment was for \$29,277.90 which included \$27,460.96 in principal and \$1,816.94 in interest.

2007 Building Permits: In 2007, the City issued 24 building permits valued at \$3,034,359 for new single and multiple family homes. Most of the permits, 21, were for construction in the Bridgewater Heights development with one permit in the Stoneridge Hills development, one in the "old" town area and one in the Millstone Addition. (see report)

Mill Town Trails Joint Powers Board: The Mill Towns Trail Joint Powers Board had their first meeting of 2008 on January 9, 2008. Northfield has accepted the administration duties this year so Jason Eisold of Northfield has taken over from Paul Peansky of Faribault as the staff person. Scott Davis of Northfield was chosen as chair replacing Carol King of Faribault. Tresa Mazurek was elected vice-chair. It was suggested that Dundas would be considered to provide staff and chair duties in 2009. The duties have traditionally rotated between the entities. Dave Miller from Faribault was selected to replace Tresa as secretary/treasurer. The DNR is working on acquiring the right of way from the railroad. They have identified almost 70 acres of possible acquisition. Northfield is redesigning the proposed bridge across the Cannon. The Board is designating additional funds from the State for the bridge in Northfield.

Dundas Business and Professional Group: I met with the Dundas Business and Professional Group on Thursday, January 10. Joe Kuchinka is the new president. I explained the City is interested in working closer with them on areas of mutual interest, especially growth. The members present expressed concern about communication. I will copy Glenn Switzer my Administrator's report and he will e-mail to the membership. I explained the business community will be invited to the Planning Commission meeting to review the preliminary sign ordinance revisions.

LMC Experienced Officials Conference: Chad, Tresa, Mary, John Cruz and I will be registered to attend the LMC conference on January 18 & 19 in Bloomington Minnesota.