

Administrator/Clerk's Report

To: Mayor and Council

From: John M. McCarthy

Date: January 11, 2010

Consent Agenda

The consent agenda is a housekeeping function of meetings. Routine matters are placed in the consent agenda for approval without discussion. Any Councilor can request an item or items be removed from the consent agenda for discussion and/or action. Many of the items on this consent agenda are actions required by the Dundas City Code Chapter 3 § 300.01 City Council Meetings and other sections of the City Code. These actions shall occur at the first regular meeting in January (300.01 (D)).

The following numbered actions are required by Chapter 3 § 300.01(D)(1) through (5)

1. Resolution 2009-01 Resolution Designating Depositories and Establishing Procedures for Depositing and Investing Funds. Designate the depositories of city funds. We do everyday banking at Frandsen Bank and Trust. Frandsen provides the City with "excess collateral" for funds above the limits of FDIC insurance. We have a CD's with the other financial institutions. Currently, investments in the other institutions are below the coverage limit of FDIC.

2. Name Northfield News as the Official Newspaper: Designate the official newspaper.

3. Name Councilor John Cruz as Acting Mayor; Choose one of the Council Members as Acting Mayor.

4. Appoint officers, employees and members of departments, boards, commissions and committees. The City code states the Mayor appoints the members with the approval of the Council. Mayor Switzer recommends the following appointments:

- a. John Cruz, 1 year term on the Planning Commission (301.01(A)(3)).
- b. Larry Fowler to a 4 year term on the Planning Commission (301.01(A)(4)).
- c. Chad Pribyl, 1 year term on the Park and Recreation Advisory Board (304.02(A)(1)).
- d. Glenn Switzer and John Zander to the Mill Towns Trail Joint Powers Board.
- e. John Zander to the Northfield Ambulance Association.

5. Establish and appoint Council Members to City Council Committees: Mayor Switzer is recommending continuing the standing committees and reappointment all current members. The first council member listed will serve as the chair of the committee.

- a. Finance and Legislation: John Cruz, Glenn Switzer.
- b. Human Resource: Chad Pribyl, John Cruz.
- c. Public Safety: Nate Ryan, John Zander.
- d. Public Works: John Zander, Chad Pribyl.
- e. Business Development; Glenn Switzer, Nate Ryan.

Discontinue Utility Services: This is the first step in authorizing discontinuing utility services, shutting off water and discontinuing picking up garbage for accounts which are in arrears.

Special Action - Refund Parking Ban Ticket Overpayment: The vehicle owner and the driver both paid the same parking ban ticket. This action authorizes repayment of the overpayment to the owner.

Special Action - Wells Fargo Corporate Trust: The payment to Wells Fargo is the principal and interest payment on the General Obligation Tax Increment Bonds Series 2006-A. The payment of \$119,231.25 includes \$90,000.00 for principal and \$29,231.25 for interest.

Ordinances and Resolutions

Resolution 2010 – 02 .Changing the Number of Members of the Dundas Park and Recreation Advisory Board At the council meeting of December 28, staff was asked to prepare a resolution changing the number of members of the Park and Recreation Advisory Board from seven to five as permitted by the City Code. I recommend approval of Ordinance 2010 – 02 (Motion)

New Business

MCFOA Training: The Municipal Clerks and Finance Officers Association is holding a training session on the use of Microsoft Publisher on February 12 in Rochester. The Southeast Service Cooperative is conducting the training. I recommend sending Linda Ripka to the training: (Motion)

Move to approve normal and customary expenses for Deputy Clerk Linda Ripka to attend the MCFOA training in Rochester on February 12, 2010.

Gopher State One Call: Gopher State One Call is holding a no cost seminar on January 20, 2010 in Mendota Heights. I recommend sending Duane Meliza to the seminar. (Motion)

Move to approve normal and customary expenses for Public Works Superintendent Duane Meliza to attend the Gopher State One Call Seminar in Mendota Heights on January 20, 2010.

Ehlers Public Finance Seminar: Ehlers is holding a Public Finance Seminar February 4th and 5th at the Northland Inn in Brooklyn Center. I found the seminar I went to in 2008 to be very valuable. There is no registration fee. I am requesting normal expenses for attendance at the seminar. (Motion)

Move to approve normal and customary expenses for Administrator Clerk John McCarthy to attend the Ehlers Public Finance Seminar in Brooklyn Center on February 4th and 5th, 2010.

Step 3 Grievance: Law Enforcement Labor Services, Inc (LELSI) has filed a Step 3 Grievance on behalf of Officer Christopher Daley. The Step 3 Grievance was dated January 4, 2010, received by Mayor Glenn Switzer on or about January 6, 2010 and delivered to City Hall on January 7, 2010. The Grievance Procedure, Article 6 of the Labor Agreement, allows the union to present a Step 3 grievance to the City Council. The City Council is required to give the union an answer in writing within (10) calendar days after receipt of a Step 3 grievance.

Daley is claiming the city did not properly pay him for .25 hours of overtime on December 4, 2009.

The City's position is that Daley did not work a complete shift which would require payment of overtime.

On December 4, 2010, Daley was scheduled to work a 12 hour shift. On December 4, Daley requested 4 hours of sick leave as permitted under Article 18 of the Agreement. He worked 8 hours of the scheduled shift and worked an additional .25 hours for which he claimed overtime. The City paid Daley for 3.75 hours of sick leave and 8.25 hours of regular time.

In making the decision to deny the overtime the city relied on the following:

1. Article 3 – Definitions, defines overtime as “work performed...in excess of an employee’s scheduled shift” and shift as “a period of continuous work.”
2. Article 8 – Work Schedules, clearly separates “hours work assigned on shifts” (8.1(a)) from “authorized leave time” (8.1(d)).
3. The Agreement does not state that authorized leave time shall be used as part of a scheduled shift for the purposes of computing overtime.
4. An employer is not required to use authorized leave time; vacation, holiday, sick leave or funeral leave in the computation of overtime.

On December 4th, 2009, Officer Chris Daley was scheduled to work 12 hours. Daley worked for a continuous period of 8.25 hours.

Committee assignments / Council Workshop(s): I have prepared a list of some of the work items the Council has discussed. I suggest Council identify goals based on this partial list and others as may be recommended, set priorities and assign to staff, committee and Council as appropriate. I have added some suggested assignments and possible flows.

1. Capitol Improvement Plan (Workshop, staff, F&L Committee, Council)
2. Development Fees (Staff, ? Committee, Council)
3. Use of TIF Funds (Workshop, staff, F&L Committee, Council)
4. Utility Bill Certification/Shut-off/Renter-Owner Responsibility (Staff, PW Committee, Council)
5. Public Works Staffing (HR Committee, Council)
6. Wastewater Treatment (Workshop, staff, PW Committee, Council)
7. Personnel Policy (Staff, HR Committee, Council)
8. Ordinance Updating (Staff, F&L Committee, Council)
9. Annexation Agreement (Workshop, Council, Planning Commission, Council)

Engineer's Report

Meeting with MnDOT Regarding Highway 3: City Engineer Tom McMahon, Northfield staff and representatives from the Northfield Chamber of Commerce met with representatives of the MN Department of Transportation to discuss access and safety considerations concerning the MN Highway #3 corridor.

Administrator's Report

2009 Building Permit Report: The final building permit report for 2009 indicates Dundas has permitted 21 new freestanding single family homes during the year. Seventeen new detached single family homes were sold along with 14 new single family townhomes for a total of 31 additional households.

Mill Towns Trail Joint Powers Board: The JPB held their first meeting of 2010 in Faribault, the 2010 host government. Faribault Councilor Carol King was elected chair, Northfield Councilor Jon Dennison was elected vice-chair and Dundas Mayor Glenn Switzer was elected secretary/treasurer.

Faribault's plans for trail improvements, specifically the "Northern Link Trail", were presented and discussed. After reviewing with MnDOT, Faribault will be moving up the construction of the bridge across the Cannon River along Highway 21 to the current construction cycle. Faribault intends to have the final plans prepared by mid-April with construction to occur this summer. They currently anticipate a shortfall of about \$200,000 but with a hoped for reallocation of Federal Recreation Trail Program (FRTP) funds and use of city funds from projects which were under budget, they believe they can make up the shortfall. MnDNR agreed to work with the city to reallocate the FRTP funds.

Steve Hennessy and Joel Weger of the DNR reported on the progress of the acquisition of the unused and never developed railroad right of way between Dundas and Faribault. Internally, the project is moving along with a target of beginning the appraisal process in April. DNR will be requesting \$550,000 in the bonding cycle for land acquisition.

Northfield will be reapplying for funds to resurface the portion of the Mill Towns Trail between Dundas and Northfield.

The next meeting of the MTTJPB will be Wednesday, March 3, 2010 in Northfield.

Plans for Disposition of County Market building materials: I was contacted by John Zander concerning the time-line for submitting plans for the disposition of the County Market building materials currently stored on his property. I supplied Zander with a copy of the minutes of the January 26, 2009, city council meeting and the motion requiring the submittal of preliminary plans by January 31, 2010.

Water Meter Replacement: Seven meters remain uninstalled (six not called in and one at the plumber waiting for the property owner to make arrangements for installation. Water will be shut off at the properties without new meters if they have not been installed by March 30, 2010. A monthly charge of \$25.00 has been added to the utility accounts, which is applied to the cost of the meters when replaced.

Complaints: The City has received several complaints regarding snow removal. The plowing contractors have been cleaning up after the Christmas snow and rain storm. Equipment breakdowns were responsible for some delay in the normal cleanup of the snow. Many of the complaints have been associated with mail boxes. It is the responsibility of the person receiving mail to keep the mail box accessible.

Joint Governmental Meeting: Dundas is hosting the next quarterly Joint Governmental meeting. The meeting will be held on January 20, 2010, 7:00 PM at Bridgewater Township Hall. The City sent notices of the meeting last week.

Blandin Community Leadership Program: Remember to consider the upcoming Blandin Community Leadership program. If you know anyone in the community that might be interested in what many consider a once in a lifetime opportunity to further personal development, please encourage them to apply. The program consists of a 5 day retreat in February, a two day workshop in May and a one day workshop in August. Costs, tuition, room and board, are covered by the Blandin Foundation. The only costs to the participants are time and transportation and a bus is being arranged to provide transportation to the February retreat in Grand Rapids. There is an article in the Dundas Messenger, information is available on the Dundas website and on-line at www.blandinfoundation.org . Applications and a DVD explaining the program is available on the Blandin website by clicking on the pinecones.