

Administrator/Clerk's Report

To: Mayor and Council

From: John M. McCarthy

Date: March 8, 2010

Green Team Presentation

Waste Management will be presenting Cub Scouts Pack #300 a check for \$249.00 for recycling 16.57 tons of cardboard in the last 4 months of 2009.

Consent Agenda

Bond Interest Payment: This is the interest payment on the GO Water and Sewer Revenue Bonds Series 2005.

Use of Force Training: This is for training for 4 officers in use of force. The training is provided by the Rice County Sheriff's office.

Ordinances and Resolutions

Resolution 2010-05: A Resolution Supporting SUPER Kids and Authorizing Use of the Pavilion at Memorial Park: This program, run by ISD 659 Community Services, was very successful last year. They have requested the use of the Memorial Park Pavilion on Friday mornings beginning June 18 and ending July 23. I recommend approval of Resolution 2010-05 (Motion)

Resolution 2010-06: A Resolution Setting a Public Hearing: Ed Miller has requested the vacation of the drainage easement between two lots he owns. He intends to consolidate the lots and build a single family home on the consolidated lot. The house will be built in the center of the consolidated lot and straddle the old lot line and drainage easement. Drainage easements will still exist on the back, front and between adjacent lots. State statutes require holding a public hearing on the vacation of easements. I recommend approval of Resolution 2010-06. (Motion)

Old Business

Titan Supply: On Monday, March 1, I was contacted by Elisabeth Debeck from newly elected Senator Mike Perry's office (State Senate Dist. 26) concerning a constituent complaint regarding the City requiring the installation of sprinklers. I responded to her inquiry by providing some basic information and referencing the location of additional information on the City's website which may be helpful.

Several, if not all members of the Council have been contacted regarding issues, including a possible requirement of sprinklering if the use of the property requires. It is staff's understanding that the current problem is the issuance of a building permit for construction of 3 tanks/bins as permitted by a reissued CUP. The sprinklering issue can only be resolved when a review of the use class is completed as agreed by the Zander's when the original CUP was issued in 2004. The City Building Inspector can only issue a building permit when information required by City Ordinances and State Statutes has been received.

City Attorney Paula Callies has mailed Titan's attorney Bruce Malkerson regarding trying to bring this matter to a resolution. During the approximately 6 years from the issuance of the original CUP for the rebuilding of 2 silos and 1 tank until today, City staff has assisted with 5 commercial/industrial projects with building permit values in excess of \$12.5 million and 3 public works material handling projects with construction costs in excess of \$2.5 million. These were all accomplished with less time spent in proportion to the size of the project.

Council originally required the building permit application to be submitted by December 28, 2008. The City has not received any information from the Zanders as to when a complete application may be expected.

Proposed Fee Schedule: Staff has been reviewing the current list of fees and has updated many to more closely represent the actual cost to the City. We have also looked at other cities and added some fees which are commonly included. Minnesota law requires most fees to be set by ordinance. Some of the zoning related fees require a public hearing. A public hearing has been scheduled for 7:00 pm, Monday, March 29, 2010.

New Business

Renew Cleaning Contracts with EPIC: The City has been contracting with EPIC Enterprises, Inc for cleaning services for City Hall and during the summer cleaning Mill and Memorial Parks. They are proposing renewing the contracts with the same terms as last year. I recommend the following motion:

Approve the Service Contracts with EPIC Enterprises, Inc for cleaning City Hall for 1 year and cleaning Mill and Memorial parks for a period of 6 months or as required as described in the contract. (Motion)

Easter Egg Hunt: The Park and Recreation Advisory Board will be holding a Easter Egg Hunt in the Memorial Park grounds on Saturday, April 3, 2010. Last year's hunt was well attended. The city has received a donation of \$50.00 and the I recommend the following motion.

The City of Dundas recognizes the Second Annual Easter Egg Hunt as a City Celebration to be held at 10:00 AM, Saturday, April 3, 2010, on the grounds of Memorial Park. Funds, not to exceed \$275.00 are appropriated from the Park and Recreation Programming Budget and donations provided for the Hunt. Further the City authorizes the use of the Pavilion by the Park and Recreation Advisory Board in conjunction with the Hunt. (Motion)

Set Annual Parks Clean-up Date: The Park Board is recommending Saturday May 1, 2010, as Parks Clean-up Date. (Motion)

Set City Wide Clean-up Date: The Park Board is recommending Saturday, May 8, 2010, as the City Wide Clean-up Day. This will be coordinated with Waste Management. A suggestion has been made to include paper shredding as a service. Linda has contacted one company and a cost would be \$200 for 2 hours. (Motion)

Annexation Tax Rebate: We have received a spreadsheet from Bridgewater Township showing the properties they believe are fully developed as of 2009 and should be eligible for a tax rebate. We have begun reviewing the spreadsheet. The Township has not provided an accounting of the use of funds as required by Section 18 of the agreement. The annual accounting is not complete until the use of funds has been provided.

Attorney's Report

Kor Property: The City has received a withdrawal of the Notice of Reversion from MN Revenue. We will be working with Rice County and Revenue to bring this matter to a resolution acceptable to all.

Administrator's Report

Governor's Supplemental Budget, LGA and Other Aid Cuts: Dundas may lose all LGA and some Market Value Homestead Credit if the supplemental budget is adopted. A reduction in MVHC will have a disproportionate effect on most homeowners. Using figures from 2009, I have looked at what the effect of the loss of MVHC would have meant to taxpayers if the levy stayed the same. These estimates do not take into account how the loss of LGA may affect the levy, budget or service level:

1. For homestead property valued at \$76, 000 (max MVHC) taxes could increase by \$334
2. For homestead property valued at \$200,000 taxes could increase by \$272
3. For commercial/industrial property valued at \$300,000 taxes could increase by \$210
4. For City taxes on a homestead property valued at \$200,000 to remain the same, the City would have to reduce its levy by \$150,000 or 22%. Taxes on homes valued below \$200,000 would still go up, but homes valued above \$200,000 would see a decrease in the City portion of real estate taxes.

LMC has reported both the House and Senate are considering reducing the amount the POST Board receives to reimburse cities for police training. Depending on which proposal is used, the reduction in training aids will be about \$50.00 / officer. According to the League, training reimbursement comprises about 15% of actual training

costs. In addition, cuts to the Fire Safety Account are being considered by both the administration and the legislature.

Census 2010: Citizens should begin receiving their census forms in March for the April 1, 2010 census. It is important that everyone returns the accurate census. Linda provided extensive information on the census in the Dundas Messenger and additional information is available on the website.

LMC Joint Legislative Conference: The LMC will be joining with counties, schools and townships for a joint legislative conference on March 25, 2010. Let me know if anyone will be attending. I plan on driving up to St. Paul so I will be able to take passengers.

Mill Towns Trail JPB: The joint powers board met in Northfield on March 3, 2010. The next meeting will be in Dundas at 6:00 PM, Wednesday, May 5, 2010.

Bridgewater Holdings LLC: A representative(s) of Bridgewater Holdings will be at the March 29th meeting to review plans to complete the project.

Data Practice Request: An attorney in Stillwater has submitted an extremely broad request for public data. I have responded by identifying what parts of the request are available on the City's website, explaining the procedure we would follow in completing the request and asking for more detailed information regarding the data requested.

Carlton College Annexation Study: I met with two students in Carlton's Environmental Economics program regarding a project to assess the impact of Northfield's proposed Gill/Prower annexation. They will be presenting their project on Monday, March 15 at Severance Great Hall from 8:30 am to 11:00 am.

Worklist – Progress Report

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:

1. Capitol Improvement Plan (Workshop, staff, F&L Committee, Council)
2. Development Fees (Staff, ? Committee, Council)
 - a. Staff reviewed on 13Jan10 – Linda has prepared a draft
 - b. Draft to PC, Council – Public hearing set for March 29
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)
 - a. HR Committee will review w/staff recommendations
8. Ordinance Updating (Staff, F&L Committee, Council)
9. Annexation Agreement (Workshop, Council, Planning Commission, Council)
 - a. Council discussion 25Jan10
 - b. Task Force meeting on 1Feb10.
 - c. Rec'd amended AA from BT 8Mar10
10. Fire Protection Agreement (F&L Committee, Council)