

# Administrator/Clerk's Report

To: Mayor and Council

From: John M. McCarthy

Date: June 28, 2010

## Presentations

**Waterford Warriors 2009 Lawful Gambling Contribution:** This is the lawful gambling contribution for 2009.

**Thomas Cummings 2010 Audit:** Auditor Cummings has completed the 2009 Audit.

## Ordinances and Resolutions

**Ordinance 2010 - 04 Setting Term of Mayor's Office:** A front page article was published in the Dundas Messenger during the week of June 21, 2010 and information was placed on the City Website. (Motion)

**Resolution 2010 – 22 Accepting Donation from Waterford Warriors:** State law requires cities to accept donations by resolution. (Motion)

**Resolution 2010 – 23 Revoking Titan Supply CUP** The City Council held a public hearing regarding revoking the Conditional Use Permit (CUP) granted to Titan Supply Company by Resolution 2004-34 and restated by Resolution 2008-39. The City's position is that Titan Supply is in violation of several conditions imposed by the CUP. Titan's attorney reviewed their position, but provided minimal information regarding how they have complied or intend to comply with the conditions. No additional information regarding an application for a building permit has been received from Titan Supply. (Motion)

**Resolution 2010 – 24 Ordering the Destruction of Weeds and Long Grass** The City has received complaints regarding property appearance. The Mayor has ordered an inspection of the properties which was completed along with the necessary documentation. A Destruction Order needs to be issued which gives the property owner 10 days to mow or the City can proceed with the cleanup and bill the owner. The documentation and notification are necessary to be able to levy the cost of forced mowing to property taxes. (Motion)

**Resolution 2010 – 25 Supporting Rebuilding CSAH #1:** The Northfield Chamber of Commerce is requesting the Cities of Dundas and Northfield support the rebuilding of CSAH #1 between State Highways #3 and #246. Northfield has passed a resolution of support. City Engineer McMahon and I are part of the C of C transportation committee which has been discussing the rebuild. We recommend support. (Motion)

## Old Business

**Amend Agreement w/ Henry Albers:** Mr. Albers has requested permission to create a new lot along West Ave. He has agreed to permit the city to acquire a road right of way when it is needed in exchange for the City permitting the creation of a single lot where the old farm house is located. City Attorney Callies has drafted an amendment to the agreement. (Motion)

**Habitat for Humanity:** Habitat for Humanity is requesting the city waive fees related to the building permit for the 2010 home being built at 230 Spring Wheat. Last year, Council determined they would not waive fees. (Motion)

### **New Business**

**Audit:** Tom Cummings has completed the 2009 audit. I will recommend action at the July 12, 2010 meeting. One item that is of concern is that collections for taxes due in 2009 were down significantly. As of the end of 2009, the General Fund only collected 93.1% of the amount levied. This resulted in a shortfall of \$40,081.84. TIF District #2 was short \$25,922.47. Some of these delinquent taxes have since been paid. Even with these shortfalls, General Fund Revenue exceeded budget by \$131,705. GF expenditures exceeded budget by \$52,355 and after adjusting for transfers, the GF balance increased by \$31,766.

**Off-Sale Liquor License for MGM:** SEL Company LLC, dba MGM Wine & Sprints has applied for an off-sale liquor license. (Motion)

**Request from City of Northfield to Explore Joint City Services:** Northfield City Council has requested the Dundas City Council meet with them to explore joint City services. Northfield City Administrator Walinski has indicated Mondays are good nights for meetings. (Motion)

**Engage the Services of a Private Investigator:** City Attorney Callies was instructed to prepare a Resolution declaring a vacancy due to a Council Member no longer being a resident of the City of Dundas. In preparation, Callies is recommending the City engage the services of an independent investigator to investigate the relevant facts concerning Council Member Zander's residency. This was also suggested by former City Attorney Thomas Neuville in his memo of January 2008. Callies has contacted several investigators and recommends Heartland Investigative Group. I recommend the Council accept the recommendation of the current and former City Attorneys and hire Heartland. (Motion)

**Proposed Text Amendment Chapter 1500, Section 27:** Subway has proposed locating a free-standing sign on the Menard's property along Highway 3. Sect. 27, Sub 9(C)(5) permits a freestanding sign on an adjoining property, Our zoning code currently allows only one freestanding sign on a property and the property requested is the Menards site. The amendment would allow a second freestanding sign on a site if the two signs are separated by more than 200 feet and the total property area is more than 10 acres. I request setting a public hearing at the next Planning Commission meeting. (Motion)

### **Engineer's Report**

**Interceptor Concerns:** Mayor Switzer and I met with Northfield City Administrator Walinski and Northfield City Engineer Gehler regarding repair and future plans for the west interceptor sewer which serves Dundas. They provided us a copy of a study prepared by Bonestroo and explained Northfield's choice to proceed to design. We will be meeting again in early July to discuss how the line will continue to serve Dundas and the financial impact to Dundas.

**Consultant Services for Wastewater Planning:** Staff has been reviewing Dundas' options regarding the need for additional wastewater treatment capacity. We have received a proposal from TDKA to do a conceptual review of options. We recommend entering into an agreement with TDKA to perform a conceptual Wastewater Treatment Analysis of the Dundas wastewater system as described in a letter from Ted K. Field, P.E and dated June 8, 2010 for a cost not to exceed \$10,000. (Motion)

### **Administrator's Report**

**Financial:** As of the end of May, the City's General Fund expenditures are \$327,392 or \$13,224 less than last year. The year-to-date expenditures for the first five months are 40.3% of the budget. Most departments have underspent their budget. Revenues for the period are \$68,184 or \$16,560 less than last year. This is due to the having received the following three revenue items totaling over \$23,000: 1). DR Horton Contribution for play equipment, 2) insurance reimbursement for roof repair and 3) reimbursement for expenses per a lease agreement.

**Property and Liability Insurance:** The Property and Liability insurance bill with LMCIT of \$28,215 represents a 8.4% increase over 2009. We had budgeted \$27,215, or an increase of 6.7%, for P&I insurance. There should be a minor downward adjustment as we were charged for contents coverage in a couple of facilities, such as the storage in the dugout, where we do not have any contents.

**Celebrate Dundas:** The Dundas Historical Society held a successful community celebration on Saturday. The weather cooperated and the participants seemed to enjoy the event from when the clouds parted for the close victory by the Dukes over archrival Cannon Falls on Friday to when they returned after Will Healy's broadcast on late Saturday afternoon. On Saturday, Habitat for Humanity started things off with a pancake breakfast and Cool Treats, Angry Wiener and Maria's Taco Hut kept everyone fed all day. Dawn's Corner Bar and the L & M Bar and Grill helped with other liquids. The YMCA did a fantastic job with the kiddy carnival, Art-Org produced their 1000<sup>th</sup> steamroller print in a 19 event 20 day tour, Doggone Downtown and a Dukes baseball clinic rounded out events for kids. The Railway Rumble car show, Steam and Gas display, Art Show and One Day Museum were well attended. Of course, topping it all off was the beautiful team of Percherons pulling the people mover.

**LMC Annual Conference:** I attended the LMC Annual Conference last week. Most of the sessions I attended were focused on finance and budget. The Keynote Address was by Anirban Basu,, an economist who is Chair and CEO of Sage Policy Group, Inc. Basu presented his views on the economic situation facing cities and how the "new normal" will affect the recovery form the financial downturn. On Thursday I also attended sessions on bonding and involving the public in the budget process. On Friday, I attended a Coalition of Greater Minnesota Cites meeting. The CGMC is an organization of non-metro cities. At the LMC session, a review of the legislation which became law, was vetoed and considered but not passed during the 2010 session. One of the laws,, Chapter 389, dealt with use deed reform and may have been instrumental in MNDoR's actions involving the Kor property. The League commissioned the Humphrey Institute of Public Affairs to do a City Financial Impact Study. Key findings included: 1) Cities of every size, in every region, will be broke by 2015 if no policy changes are made. 2) By the year 2025, cities overall would see a deficit of 35 percent of city revenues. 3) Fundamental changes are needed in city services and funding in order for these projections to be avoided. Northfield Council Member Ronda Pownell was elected to the LMC Board of Directors.

**Election Training:** Rice County will be holding election training for election judges on July 13, 15, 20 and 21. The training will be done in Faribault.

**Lift Station Electrical Failure:** During the electrical storm on June 23, there was an electrical failure at the Bridgewater Heights Lift Station. Duane Meliza responded at about 3.30 am and was able to get the station back up and running before any problems occurred.

**Epic Enterprises Update:** Epic is scheduled to close on the purchase of the property tomorrow. It is my understanding they will apply for a building permit shortly.

### **Committee Reports**

**Planning Commission:** The Planning Commission regular meeting was canceled due the threat of severe weather.