CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA

RESOLUTION NUMBER 2020-01

A Resolution Designating Depositories and Establishing Procedures for Depositing and Investing Funds

WHEREAS, Minnesota Statutes §118A.02 requires the governing body of each government entity to designate one or more financial institutions as depositories of funds; and

WHEREAS, Minnesota Statutes §118A.01 Sub. 3 defines financial institution as “…savings association, commercial bank, trust company, credit union...”; and

WHEREAS, the financial institutions to be designated meets the requirements of the State of Minnesota and the City of Dundas;

NOW, THEREFORE BE IT RESOLVED, that Frandsen Bank and Trust of Dundas, Minnesota; is hereby designated as a depository for the funds of the City of Dundas; the City Administrator/Clerk is authorized to deposit City funds therein in accordance with Minnesota Statutes §118A.01 to 118A.06; and

BE IT FURTHER RESOLVED, that, in accordance with Minnesota Statutes §118A, Sub.1, Sec. b, the City Administrator/Clerk be authorized to designate additional depositories; and

BE IT FURTHER RESOLVED, for deposits beyond insurance the depositories will furnish collateral in the manner and to the extent permitted by law. All such collateral must be approved by the Dundas City Council and accompanied by a written assignment providing that, upon default, the financial institution shall release to the Dundas City Council on demand, free of exchange or any other charges, the collateral pledged; and

BE IT FURTHER RESOLVED, that all collateral must be placed in safekeeping in a restricted account at either a Federal Reserve Bank or in an account at a trust department of a commercial bank or other financial institution that is not owned or controlled by the financial institution that has furnished the collateral. The selection must be approved by the Dundas City Council. In case of default upon the part of the depository, the Dundas City Council shall have full power and authority to sell such collateral or, as much as may be necessary, to realize the full amount due the City over such federal guarantee.

ADOPTED, by the Dundas City Council of Dundas, Minnesota, on this 6th day of January 2020.

CITY OF DUNDAS BY: ATTEST:

________________________   _________________________________
Glenn Switzer, Mayor     Jenelle Teppen, Administrator/Clerk

Resolution 2020-01
January 2, 2020

Ms. Jenelle Teppen  
City Administrator  
City of Dundas  
216 Railway Street North  
Dundas, MN 55019

Re: Construction Pay Voucher No. 2  
City Hall Site and Utility Improvements  
WSB Project No. 02205-010

Dear Ms. Teppen:

Please find attached Pay Voucher No. 2 for Swenke Ims Contracting LLC for the construction of the City Hall Site and Utility Improvements project. We reviewed this application and find it acceptable for payment. Therefore, we recommend making a payment of $28,090.55 to Swenke Ims Contracting LLC. If you are in agreement; please sign the application and process for payment.

If you have any questions, please contact me at (952) 737-4661. Thank you.

Sincerely,

WSB

John Powell, P.E.  
City Engineer

Enclosures
MEMORANDUM

To: Honorable Mayor and City Council
Dundas, Minnesota

From: John M. Powell, P.E.
City Engineer

Date: January 6, 2020

Re: Pay Voucher No. 2
City Hall Site and Utility Improvements

Introduction
The Contractor for the City Hall Site and Utility Improvements, Swenke Ins Contracting LLC, has completed work to date as documented on the attached pay voucher and is requesting payment.

Background
The contract amount for this project, approved by the City Council on September 9, 2019, was $374,806; Change Order No. 1 reduced the contract amount to $370,956. The attached Pay Voucher is forwarded to the City for approval. The amount due for Payment No. 2 is calculated as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work Completed to Date</td>
<td>$250,433.00</td>
</tr>
<tr>
<td>Less Retainage (5%)</td>
<td>-$12,521.65</td>
</tr>
<tr>
<td>Less Previous Payment (No. 1)</td>
<td>-$209,820.80</td>
</tr>
<tr>
<td>Amount Due Payment No. 2</td>
<td>$28,090.55</td>
</tr>
</tbody>
</table>

All of the site utility installation (sanitary sewer, storm sewer, watermain) is complete; as is about 90% of the aggregate base placement in the parking lot. The pay voucher includes payment for the retaining wall boulders materials stored on site.

Fiscal Impact
Rock removal depth has varied significantly from the estimated quantity, we expect the final contract amount to be higher than the original contract amount. Other site project cost savings have been identified to help offset a portion of this expense.
Alternatives
1. Motion to Approve Pay Voucher No. 2 to Swenke Ims Contracting LLC in the total amount of $28,090.55.
2. Do not approve Pay Voucher No. 2

Staff Recommendation
Alternative No. 1: Motion to Approve Pay Voucher No. 2 to Swenke Ims Contracting LLC in the total amount of $28,090.55.

The work represented on the attached application for payment has been completed in accordance with the plans and specifications for the project. There is no basis for delaying approval of this pay voucher, so it is the recommendation of the City Engineer to approve Pay Voucher No. 2 as presented.

Attachments
1. Pay Voucher No. 2
Application and Certificate for Payment

TO OWNER: City of Dundas
216 Railway Street N
Dundas, MN 55019

FROM CONTRACTOR: Professional Contractors
203 NW First Ave
Faribault, MN 55021

PROJECT: Dundas New City Hall

APPLICATION NO: 003
PERIOD TO: November 27, 2019
CONTRACT FOR: New Construction
CONTRACT DATE: August 26, 2019
PROJECT NOS: / /

VIA TSP, Inc.
1500 Highway 52 North
Rochester, MN 55901

DISTRIBUTION TO:
OWNER: □
ARCHITECT: □
CONTRACTOR: □
FIELD: □
OTHER: □

CONTRACTOR’S APPLICATION FOR PAYMENT
Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM .................................................................................................................. $1,628,759.00

2. NET CHANGE BY CHANGE ORDERS .................................................................................................. $0.00

3. CONTRACT SUM TO DATE (Line 1 ± 2) .................................................................................................. $1,628,759.00

4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) .................................................. $236,912.14

5. RETAINAGE:
   a. 5.00 % of Completed Work
      (Column D + E on G703) .................................................................................................................. $11,845.61
   b. 0 % of Stored Material
      (Column F on G703) ......................................................................................................................... $0.00

Total Retainage (Lines 5a + 5b or Total in Column I of G703) .................................................................. $11,845.61

6. TOTAL EARNED LESS RETAINAGE
   (Line 4 Less Line 5 Total) .................................................................................................................... $225,066.53

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
   (Line 6 from prior Certificate) ................................................................................................................ $90,453.30

8. CURRENT PAYMENT DUE ...................................................................................................................... $134,613.23

9. BALANCE TO FINISH, INCLUDING RETAINAGE
   (Line 3 less Line 6) ............................................................................................................................... $1,403,692.47

CHANGE ORDER SUMMARY

<table>
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<tr>
<th>CHANGE ORDER SUMMARY</th>
<th>ADDITIONS</th>
<th>DEDUCTIONS</th>
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<tr>
<td>Total changes approved in previous months by Owner</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total approved this Month</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>TOTALS</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: ___________________________ Date: 11/27/2019

State of: Minnesota
County of: Rice
Subscribed and sworn to before me this 27 day of November 2019

Notary Public:
My Commission expires: 1-31-21

ARCHITECT’S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ............................................................................................................................ $134,613.23

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: ___________________________ Date: 12/4/2019

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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User Notes: 

(389ADA28B)
## Continuation Sheet, Contractor-Subcontractor Version

AIA Document G702S™ – 2017, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Subcontractor's signed certification is attached.

In tabulations below, amounts are in US dollars.

Use Column I on Contracts where variable retainage for line items may apply.

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION OF WORK</th>
<th>SCHEDULED VALUE</th>
<th>WORK COMPLETED</th>
<th>MATERIALS PRESENTLY STORED (NOT IN D OR E)</th>
<th>TOTAL COMPLETED AND STORED TO DATE (D + E + F)</th>
<th>% (G + C)</th>
<th>BALANCE TO FINISH (C - G)</th>
<th>RETAINAGE (IF VARIABLE RATE)</th>
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<tbody>
<tr>
<td>01</td>
<td>General Conditions</td>
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<td>0.00</td>
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<td>0.00</td>
<td>0.00%</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>Permits</td>
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<td>800.00</td>
<td>100.00%</td>
<td>0.00</td>
<td>40.00</td>
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<td>Bond Expense</td>
<td>16,000.00</td>
<td>16,000.00</td>
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<td>100.00%</td>
<td>0.00</td>
<td>800.00</td>
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<tr>
<td></td>
<td>Waste Removal &amp; Clean Up</td>
<td>10,900.00</td>
<td>0.00</td>
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<td>350.00</td>
<td>3.21%</td>
<td>10,550.00</td>
<td>17.50</td>
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<tr>
<td></td>
<td>Tarp, Facilities &amp; Winter Conditions</td>
<td>18,420.00</td>
<td>1,500.00</td>
<td>1,000.00</td>
<td>2,500.00</td>
<td>13.57%</td>
<td>15,920.00</td>
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<tr>
<td></td>
<td>Equip. &amp; Mobilization</td>
<td>5,500.00</td>
<td>0.00</td>
<td>1,000.00</td>
<td>1,000.00</td>
<td>18.18%</td>
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<td></td>
<td>Contractor OH/Margin</td>
<td>104,840.00</td>
<td>5,814.00</td>
<td>12,880.00</td>
<td>18,694.00</td>
<td>17.83%</td>
<td>86,146.00</td>
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<td>Project Management</td>
<td>50,000.00</td>
<td>10,000.00</td>
<td>5,000.00</td>
<td>15,000.00</td>
<td>30.00%</td>
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<td>750.00</td>
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<td>02</td>
<td>Concrete Div. 3</td>
<td>105,000.00</td>
<td>50,000.00</td>
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<td>50,000.00</td>
<td>47.02%</td>
<td>55,000.00</td>
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<td>03</td>
<td>Masonry</td>
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<td>0.00</td>
<td>15,465.00</td>
<td>19,315.00</td>
<td>6.37%</td>
<td>283,835.00</td>
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<td>Metals Div. Material</td>
<td>97,370.00</td>
<td>1,900.00</td>
<td>61,173.14</td>
<td>63,073.14</td>
<td>64.78%</td>
<td>34,296.86</td>
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<td>Hrection</td>
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<td>5,000.00</td>
<td>8.53%</td>
<td>53,596.00</td>
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<td>Rough Carpentry</td>
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<td>0.0%</td>
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<td>Finish Carpentry</td>
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<td>0.00</td>
<td>0.0%</td>
<td>10,073.00</td>
<td>0.00</td>
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<td>Architectural Woodwork</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.0%</td>
<td>19,837.00</td>
<td>0.00</td>
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</tbody>
</table>

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<th>DESCRIPTION OF WORK</th>
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<th>THIS PERIOD</th>
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<th>TOTAL COMPLETED AND STORED TO DATE (D+E+F)</th>
<th>% (G+C)</th>
<th>BALANCE TO FINISH (C-G)</th>
<th>RETAINAGE (IF VARIABLE RATE)</th>
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<tbody>
<tr>
<td>09</td>
<td>Thermal &amp; Air Barriers, Insulation</td>
<td>21,709.00</td>
<td>0.00</td>
<td>3,500.00</td>
<td>0.00</td>
<td>3,500.00</td>
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<td>18,209.00</td>
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<td>Fluid-Applied Membrane</td>
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<td>0.00%</td>
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<td>Soffit Panels</td>
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<td>0.00%</td>
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<td>Firestopping &amp; Joint Sealers</td>
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<td>0.00%</td>
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<td>Roofing</td>
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<td>Hollow Metal &amp; Hardware Material</td>
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<td>Automatic Openers</td>
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<td>17</td>
<td>Coiling Counter Door</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00%</td>
<td>4,270.00</td>
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<tr>
<td>18</td>
<td>Alum. Frames &amp; Glazing</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00%</td>
<td>49,473.00</td>
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<tr>
<td>19</td>
<td>Studding &amp; Gypsum Board Material</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00%</td>
<td>24,038.00</td>
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<tr>
<td>20</td>
<td>Studding &amp; Gypsum Board Labor</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00%</td>
<td>48,960.00</td>
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<tr>
<td>21</td>
<td>Tiling</td>
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<td>0.00</td>
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<td>0.00%</td>
<td>7,413.00</td>
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<tr>
<td>22</td>
<td>Acoustical Ceilings</td>
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<td>0.00</td>
<td>0.00%</td>
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<tr>
<td>23</td>
<td>Resilient &amp; Carpet</td>
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<td>0.00</td>
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<td>Painting</td>
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<td>0.00%</td>
<td>14,097.00</td>
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<tr>
<td>25</td>
<td>Toilet &amp; Bath Accessories, Corner Guards</td>
<td>2,119.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00%</td>
<td>2,119.00</td>
<td>0.00</td>
</tr>
<tr>
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<td>% (G+C)</td>
<td>BALANCE TO FINISH (C-G)</td>
<td>RETAINAGE (IF VARIABLE RATE)</td>
</tr>
<tr>
<td>---------</td>
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<td>---------------------------------</td>
<td>---------</td>
<td>---------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>26</td>
<td>Fire Projection Specialties</td>
<td>683.00</td>
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<td>0.00</td>
<td>0.00%</td>
<td>683.00</td>
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<tr>
<td>27</td>
<td>Roller Shades</td>
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<td>0.00</td>
<td>0.0%</td>
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<td>Fire Suppression Div. 21</td>
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<td>874.00</td>
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<tr>
<td>30</td>
<td>Electrical Div. 26,27 &amp; 28</td>
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<td>7,500.00</td>
<td>0.00</td>
<td>7,500.00</td>
<td>4.9%</td>
<td>145,500.00</td>
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<td>0.00%</td>
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<td>32</td>
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<td>GRAND TOTAL</td>
<td>$1,628,759.00</td>
<td>$95,214.00</td>
<td>$137,848.14</td>
<td>$3,850.00</td>
<td>$236,912.14</td>
<td>$1,391,846.86</td>
<td>14.55%</td>
<td>$11,843.61</td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM

To: Honorable Mayor and City Council
   Dundas, Minnesota

From: John M. Powell, P.E.
      City Engineer

Date: January 6, 2020

Re: Application for Payment No. 3
    Dundas City Hall

Introduction
The Contractor for the new Dundas City Hall, Professional Contractors, has completed work to date as documented on the attached Application and Certificate for Payment and is requesting payment.

Background
The contract amount for this project, approved by the City Council on August 26, 2019, is $1,628,759. The attached Application and Certificate for Payment is forwarded to the City for approval. The amount due for Payment No. 3 is calculated as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work Completed to Date</td>
<td>$236,912.14</td>
</tr>
<tr>
<td>Less Retainage (5%)</td>
<td>-$11,845.61</td>
</tr>
<tr>
<td>Less Previous Payments (No. 1,2)</td>
<td>-$90,453.30</td>
</tr>
<tr>
<td>Amount Due Payment No. 3</td>
<td>$134,613.23</td>
</tr>
</tbody>
</table>

The payment request details the work completed this period, primarily masonry, metal, and mechanical work. This payment is for work completed through November 27, 2019; another payment will be considered at the next City Council meeting for work completed through year end.

Fiscal Impact
The work completed to date is within the Scheduled Values as documented on the attached form.
Alternatives
1. Motion to Approve Application and Certificate for Payment No. 3 to Professional Contractors in the amount of $134,613.23.
2. Do not approve Application and Certificate for Payment No. 3.

Staff Recommendation
Alternative No. 1: Motion to Approve Application and Certificate for Payment No. 3 to Professional Contractors in the amount of $134,613.23.

The work completed to date is within the Scheduled Values as documented and TSP, Inc. has certified the requested amount.

Attachments
1. Application and Certificate for Payment No. 3
<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>CONTRACT AMOUNT</th>
<th>CONTRACT QUANTITY</th>
<th>MATERIALS ON HAND-RETAINING WALL (ALL)</th>
<th>TOTAL CONTRACT</th>
<th>MORTALITY</th>
<th>CONTRACTION/LABOUR</th>
<th>TOTAL AMOUNT PREVIOUSLY PAID</th>
<th>TOTAL AMOUNT TO DATE</th>
<th>TOTAL PAYABLE TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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<td>$ 209,820.40</td>
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<td></td>
<td></td>
<td>$ 20,000.15</td>
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</tr>
</tbody>
</table>

SUBTOTAL/WORK COMPLETED
CHANGE ORDER NO. 1
RETRANSADE (5%)  

TOTAL PAYABLE TO DATE

TOTAL AMOUNT PREVIOUSLY PAID

AMOUNT DUE THIS PERIOD - THROUGH 12/31/19
PAY REQUEST NO. 2
Approved By:

CITY OF DUNDA
P. W. WILKINSON, STREET SUPERINTENDENT
153 1/2 WEST 1ST STREET, HARRISBURG, PA 17101

WBS
## DISBURSEMENT REPORT

City of Dundas  
Council Meeting January 6, 2020

<table>
<thead>
<tr>
<th>DATE</th>
<th>PAYABLE</th>
<th>AMOUNT</th>
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<td>12/20/2019</td>
<td>PERA</td>
<td>$3,452.60</td>
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<td>12/20/2019</td>
<td>MN Dept of Revenue - Garb/Sales Tax</td>
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<td>Payroll PP# 1 Employees</td>
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<td>Payroll PP# 1 City Council</td>
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<tr>
<td>1/2/2020</td>
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**Total Paid Payroll Liabilities**  
$22,201.06

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<tr>
<td>1/6/2020</td>
<td>Biills to be paid (Claims Register)</td>
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<td>Swenke lms Payment#2 City Hall Site</td>
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<td></td>
<td>Professional Contractos Payment #3 City Hall</td>
<td>$134,613.23</td>
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**Total**  
Disbursements as of January 6, 2020  
$276,859.74
## City of Dundas
### Payments

Current Period: December 2019

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<th>Batch Name</th>
<th>User Dollar Amt</th>
<th>Computer Dollar Amt</th>
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<th>Date</th>
<th>Accountant</th>
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<td>$226,484.13</td>
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<td><strong>Transaction Date</strong></td>
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<td>E Water Tower Repair&amp;maint</td>
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<td><strong>Transaction Date</strong></td>
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<td>1/5/2020</td>
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<td>25-laser 1099Misc forms</td>
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<td></td>
<td>1/5/2020</td>
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<td><strong>Cash Payment</strong></td>
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<td>W2's and 1099M forms</td>
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<td>1/5/2020</td>
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<tr>
<td><strong>Cash Payment</strong></td>
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<tr>
<td><strong>Invoice</strong></td>
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<td>POLZIN GLASS</td>
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## Fund Summary

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<td>GENERAL FUND</td>
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<tr>
<td>225</td>
<td>STORM SEWER FUND</td>
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<td>246</td>
<td>GENERAL DEVELOPMENT FEES</td>
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<td>408</td>
<td>CITY HALL PROJECT</td>
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<tr>
<td>601</td>
<td>WATER FUND</td>
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<td>602</td>
<td>SEWER FUND</td>
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<tr>
<td>603</td>
<td>REFUSE FUND (Garbage)</td>
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10100 Frandsen Bank:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$226,484.13</td>
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</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Pre-Written Checks</td>
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<tr>
<td>Checks to be Generated by the Computer</td>
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</tbody>
</table>

Total: $226,484.13
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council
FROM: Jenelle Teppen, City Administrator
SUBJECT: Consider Amending City Code Chapter 92 Regarding Nuisances
DATE: For the City Council Meeting of January 6, 2020

PURPOSE/ACTION REQUESTED
Consider amending City Code Chapter 92 regarding nuisances.

SUMMARY
During a recent process to notify residents regarding some nuisance issues, staff and the City Attorney recognized a lack of clarity in the process to resolve nuisance issues. The City Attorney has drafted the attached amendment to the City Code which sets forth a clearer process.

RECOMMENDATION
Staff recommends the Council approve the attached amendment to City Code Chapter 92 regarding nuisances.
ORDINANCE 2020-01
CITY OF DUNDAS
STATE OF MINNESOTA

An Ordinance Amending Chapter 92 of the
Dundas City Code Regarding Nuisances

THE CITY COUNCIL OF THE CITY OF DUNDAS DOES ORDAIN:

SECTION 1. Section 92.15 PUBLIC NUISANCE is amended to read as follows (changes or additions are indicated by underline; deletions by strikeout):

Whoever by his or her act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor.

A person must not act or fail to act in any manner that causes a public nuisance. For purposes of this chapter, a person that does any of the following is guilty of maintaining a public nuisance:

(A) Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals comfort or repose of any considerable number of members of the public;

(B) Offends public decency or urinates in public;

(B) Interferes with, obstructs or renders dangerous for passage, any public highway or right-of-way or waters used by the public;

(C) Commits any other act or omission declared by law or §§92.16, 92.17 04 92.18 of this chapter, or any other part of this code to be a public nuisance. Does any other act or omission declared by law or this chapter to be a public nuisance.

SECTION 2. Section 92.16 PUBLIC NUISANCES AFFECTING HEALTH is amended to read as follows (changes or additions are indicated by underline; deletions by strikeout):

The following are declared to be nuisances affecting health:

(A) Exposed accumulation of decayed or unwholesome food or vegetable matter;

(B) All diseased animals running at large;

(C) All ponds or pools of stagnant water;

(D) Carcasses or animals not buried or destroyed within 24 hours after death;

(E) Accumulations, exterior storage, throwing, dumping or depositing of any of the following on unlicensed or unauthorized public or private property:
(1) Manure, waste, refuse, trash, garbage, junk or debris of any nature or description;

(2) Manure, decaying matter or unwholesome food or vegetable matter;
(2) Disused machinery, household appliances, or automobile components;

(3) Poisonous or injurious substances:

(4) Brush piles, vegetation, uncut wood or lumber or firewood not neatly stacked or secured;

(5) Discarded household goods, clothing, shoes and furniture;

(6) Piles of sand, stones, dirt, ashes or cinders; not otherwise permitted by City Code;

(7) Other such items that tend to cause an unsightly appearance, which may create fire, health or safety hazards, which allow for the harboring of rodents, vermin or the rank undergrowth of vegetation.

(F) Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;

(G) The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances;

(H) All noxious weeds and other rank growths of vegetation upon public or private property;

(I) Dense smoke, noxious fumes, gas and soot, or cinders in unreasonable quantities;

(J) All public exposure of people having a contagious disease;

(K) Any offensive trade or business as defined by statute not operating under local license;

(L) The exterior storage of pipe, lumber, forms, steel, machinery or similar material unless shielded from public view and in conjunction with a building permit for use of these materials on-site;

(L) The piling, keeping, parking or exterior storage of wrecked, junked, inoperative, unlicensed or improperly licensed vehicles as defined in MS CH. 168B, as it may be amended from time to time, and this code of ordinances, as may be amended; and any motor vehicle that is not in operating condition, is partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation within the state, pursuant to Minn. Stat. Ch. 168B, and as amended.

(N) The parking of vehicles, trailers, boats and other such items on property in violation of §154.067 of this code of ordinances.
SECTION 3. Section 92.17 (D) and (E) of the Dundas City Code are hereby amended to read as follows (changes or additions are indicated by underline):

(D) All places where intoxicating liquor or 3.2 malt liquor is manufactured or disposed of in violation of law or where, in violation of law, people are permitted to resort for the purpose of drinking intoxicating or 3.2 malt liquor, or where intoxicating liquor or 3.2 malt liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining that place;

(E) Any vehicle used for the unlawful transportation of intoxicating or 3.2 malt liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

SECTION 4. A new Section 92.19 titled NUISANCE PARKING AND STORAGE is added to the Dundas City Code to read as follows:

(A) Declaration of nuisance. The outside parking and storage on residentially zoned property of large numbers of vehicles and vehicles, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements of this section is declared a public nuisance because it: 1) obstructs views on streets and private property; 2) creates cluttered and otherwise unsightly areas; 3) prevents the full use of residential streets for residential parking; 4) decreases adjoining landowners’ and occupants’ use and enjoyment of their property and neighborhood; and 6) otherwise adversely affects property values and neighborhood patterns.

(B) Unlawful parking and storage.

(1) A person must not place or store outdoors, or allow the exterior placement or storage of pipe, lumber, forms, steel, machinery, concrete, bricks, stone, shingles or similar material unless shielded from public view and in conjunction with a building permit for use of these materials on site;

(2) The parking and storage of vehicles, trailers, boats and other such items on property in violation of §154.067 of this code of ordinances.

SECTION 5. The section titled “DUTIES OF CITY OFFICERS” is deleted, renumbered §92.20 and amended to read as follows (changes or additions are indicated by underline):

The designated city officials for applying and enforcing the provisions of this chapter relating to public nuisances within this jurisdiction are law enforcement officers, and the zoning administrator or their designee. The designated city official shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations of imminent danger to human life and safety, no city official will enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident or other person in control of the property, unless the officer or designated person has obtained a warrant or order form a court of competent jurisdiction authorizing entry.

SECTION 6. The section titled “ABATEMENT” is deleted entirely, renumbered §92.21 and is amended to read as follows (changes or additions are indicated by underline):
(A) **Abatement of Abandoned and Junk Vehicles.** The chief of police or their designee may take into custody and impound any vehicle described in §92.16 (L) in the manner authorized under City Code §90.18 et.seq. and Minnesota Statutes, Chapter 168B, as amended.

(B) **Abatement of Other Nuisances.**

(1) **Procedure.** Except with regard to the abatement of abandoned and junk vehicles, whenever a designated city official determines that a public nuisance is being maintained or exists on the premises in the city, the official shall notify in writing the owner of record or occupant of the premises of such fact and order that the nuisance be terminated or abated. The notice of violation shall specify the steps to be taken to abate the nuisance and the time within which the nuisance is to be abated. If the notice of violation is not complied with within the time specified, the official shall report such fact forthwith to the City Council. Thereafter, upon direction of the City Council, the City Administrator shall notify the occupant or owner of record of the violation in writing and of their opportunity to be heard before the City Council, stating the time, date and place of such hearing. Upon holding a hearing after due notice, the Council may determine that the condition identified in the notice is a nuisance and shall make findings in support of its conclusions. The Council may further order that if the nuisance is not abated within the time prescribed by the City Council, the city may seek injunctive relief for summary enforcement, or order abatement of the nuisance by obtaining an administrative search and seizure warrant and abate the nuisance. Such search and seizure warrant shall authorize the City to enter the premises to correct the nuisance and to dispose of any and all conditions constituting the nuisance in a commercially reasonable manner, including the destruction or sale of the property.

(2) **Notice.** Written notice of violation, City Administrator Notice of Council hearing and any Council Order shall be served personally on the owner of record or occupant of the premises by a peace officer, or by certified or registered mail. If the premises are not occupied, or the owner of record is unknown, or refuses to accept the notice of violation, the notice of violation shall be posted on the premises.

(C) **Emergency Procedure; Summary Enforcement.** In cases of emergency, where delay in abatement required to complete the procedure and notice requirements as set forth in (B)(1) and (2) of this section will permit a continuing nuisance to unreasonably endanger public health, safety or welfare, the city council may order summary enforcement and abatement of the nuisance. To proceed with summary enforcement, the designated official shall determine that a public nuisance exists or is being maintained on property in the city and that delay in abatement will unreasonably endanger public health, safety or welfare. The designated official shall notify in writing the occupant or owner of the property of the nature of the nuisance and of the City’s intention to seek summary enforcement and of the time, date and place of the City Council meeting to consider summary enforcement. If the nuisance is not immediately terminated, or abated, the City Council may order summary enforcement and abate the nuisance.

(D) **Notice for Summary Enforcement.** Written notice of any motion for summary enforcement shall be made as provided for in Minn. Stat. §463.17, Hazardous or Substandard Buildings Act, as amended.
(E) Immediate Abatement. Nothing in this section shall prevent the City, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety.

(F) Unlawful Parties or Gatherings. When law enforcement determines that a gathering is creating such noise disturbance as prohibited under §92.18 (F) or (G), the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disburse immediately. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.

(G) Other Remedies. Nothing in this section shall prevent the City from pursuing any other appropriate and available legal remedies, including criminal prosecution and injunctive relief.

SECTION 8. A new §92.22 DISPOSITION OF PROPERTY is added to read as follows (changes or additions are indicated by underline):

The City maintains the right to dispose of all property that it removes from public and private property through abatement procedures set forth in this chapter. Disposal of property deemed to have value shall occur 30 days or more after the property is secured, unless the property owner either obtains a court order to the contrary, or pays all costs associated with the removal and storage of said property within 30 days. The City may immediately dispose of any property deemed to have no value in the sole opinion of the designated city official.

SECTION 9. This ordinance becomes effective from and after its passage and publication in accordance with law.

BE IT FURTHER ORDAINED, that the attached Summary of Ordinance 2020-01 is hereby approved for publication purposes.

ADOPTED by the City Council, of Dundas, Minnesota, on this 6th day of January 2020.

CITY OF DUNDAS BY: ATTEST:

______________________________ _________________________________
Glenn Switzer, Mayor Jenelle Teppen, City Administrator/Clerk

Ordinance 2020-01

Publication in Faribault Daily News on: January 11, 2020
The following is the official summary of Ordinance 2020-01, which was approved and adopted by the Dundas City Council on January 6, 2020:

Ordinance 2020-01 amended City Code Chapter 92 regarding nuisances including adding new sections for Nuisance Parking and Storage and the Disposition of Property, clarifying the duties of City officers and abatement procedures and updating other provisions.

A copy of the entire Ordinance 2020-01 is available for inspection by any person during regular office hours at the Dundas City Hall, 216 Railway Street North, Dundas, MN 55019 and posted at the Dundas City website: www.cityofdundas.org

Published by order of:
Jenelle Teppen, City Administrator/Clerk
Publication in Faribault Daily News on: January 11, 2020
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council
FROM: Jenelle Teppen, City Administrator
SUBJECT: Consider On-Sale Liquor License Application from Ruth on Stafford
DATE: For the City Council Meeting of January 6, 2020

PURPOSE/ACTION REQUESTED
Consider an application for an On-Sale Liquor License application from Ruth’s on Stafford.

SUMMARY
Ruth’s on Stafford has a catering business and holds a Caterer’s license and has applied for an On-Sale Intoxicating Liquor License and Sunday Liquor On-Sale from the City to allow the serving of alcohol at 410 Stafford Road South.

Insurance information is forthcoming and approval is contingent upon receipt. All other information has been provided and payment received.

RECOMMENDATION
Staff recommends the Council approve the On-Sale Intoxicating Liquor and Sunday On-Sale licenses for Ruth’s on Stafford, Inc. d/b/a as Ruth on Stafford at 410 Stafford Lane South from January 6 through June 30, 2020 contingent upon the City receiving required insurance coverage information.
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council
FROM: Jenelle Teppen, City Administrator
SUBJECT: Consider Appointing Wade Murray Interim Police Chief
DATE: For the City Council Meeting of January 6, 2020

PURPOSE/ACTION REQUESTED
Consider appointing Wade Murray interim Police Chief.

SUMMARY
Police Chief Eric Kline recently submitted his resignation effective January 10. This leaves Officer Wade Murray as the one remaining full-time Police Officer with the City. We also have one part-time officer on staff.

A posting for FT Police Officer closed on 12/31 and we will work as expediently as possible to fill one position. We continue to seek qualified individuals to fill the part-time positions.

I have a verbal agreement with Law Enforcement Labor Services (LELS) that Officer Murray will fill the interim Chief role for six months (finalizing Memorandum of Understanding with the Union is in process).

RECOMMENDATION
Staff recommends the Council appoint Officer Wade Murray as interim Police Chief beginning January 11, 2020 through July 13, 2020.
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council
FROM: Jenelle Teppen, City Administrator
SUBJECT: Discussion Regarding Proposal to Move NAFRS Board Meetings from Monthly to Quarterly
DATE: For the City Council Meeting of January 6, 2020

PURPOSE/ACTION REQUESTED
Discuss proposal to move NAFRS Board meetings from monthly to quarterly.

SUMMARY
At the December NAFRS Board meeting there was a memorandum (attached) from Glen Castore, Treasurer requesting discussion about changing the meeting schedule of the Board from monthly to quarterly. From what I understand, this topic had been discussed at least three years ago at the Board level and at the time there was not support to change the schedule.

At the January 9 Organizational Meeting of the NAFRS Board this item will again come up for discussion and presumably a vote.

At the December Board meeting Mayor Switzer expressed his disagreement with the proposed change, again admoniting the Board about what appears to be a lack of oversight by the Joint Powers Board.

RECOMMENDATION
Council should discuss the proposal to move the NAFRS Board meetings from monthly to quarterly and provide direction in anticipation of the January 9 NAFRS organizational meeting.
To: Joint Powers Board

From: Glen Castore, Treasurer

Title: 2020 Meeting Schedule

Action Requested:
Discussion

Summary Report:
Section 5e of the JPA envisioned that the Board could meet less frequently than monthly but also requires that it meet at least quarterly. With the major facility and equipment replacement projects complete it seems appropriate to consider a less frequent meeting schedule. Here is a specific proposal:

<table>
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<tr>
<th>January</th>
<th>Board</th>
<th>Staff &amp; Board Committees</th>
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<td>Organizational Meeting</td>
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<td>Regular Meeting</td>
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<td>• Committee Assignments</td>
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<td>• Review previous year’s performance</td>
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<td>• Identify issues for Board attention in current year</td>
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<td>February</td>
<td>Draft Annual Report</td>
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<td>March</td>
<td>Draft Annual Report</td>
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<td>April</td>
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<td>July</td>
<td>Q2 Regular Meeting</td>
<td>Budget Request to JPA Parties</td>
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Northfield Area Fire and Rescue Service Joint Powers Board Meeting Date: 12/19/2019
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<th>Meeting</th>
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<tr>
<td>October</td>
<td>Q3 Regular Meeting</td>
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<td>November</td>
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<td>December</td>
<td>Q4 Regular Meeting</td>
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**Alternative Options:**
Continue meeting monthly or meet every other month

**Financial Impacts:**
None

**Tentative Timeline**
Approve meeting schedule at January organizational meeting
MEMORANDUM

To: Honorable Mayor and City Council  
Dundas, Minnesota

From: John M. Powell, P.E.  
City Engineer

Date: January 6, 2020

Re: City Engineer Update

The City Administrator, Public Works Director, and City Engineer meet about every two weeks to plan and review projects and tasks, and to discuss public works matters of all types.

The agendas used for the most recent Public Works staff meeting forms the basis for the updates that have been provided to the City Council. Attached is the most recent Public Works staff meeting agenda with notes added.
City of Dundas  
Public Works Staff Meeting / City Engineer Update 1/2/2020  
December 11, 2019

Agenda

1. 2017 Sidewalk Improvements
   - Permanent signage to be installed where the sidewalk and retaining wall end.
   - Final pay voucher was approved by the City Council at the 12/16/19 meeting.

2. 2019 Storm Pond Maintenance
   - Two-year warranty inspection in 2021.

3. 2020 Sidewalk Improvements
   - Scope includes:
     - ECRT North-south connection along 1st Street North.
     - Ped ramps on Bluff Lane at Miller Lane and Granite Way.
     - CSAH 1-Cannon Road to Stafford Road North; along the north side of Frandsen Bank and trail connection to pedestrian ramp on NE corner.
   - Updated topographic surveys have been prepared for the TH 3/CSAH 1 intersection area; concepts are being developed for discussion with MnDOT.
   - Final design expenses will be delayed until the funding availability is confirmed.

4. UPRR/Hester Street sidewalk crossing
   - Retaining wall relocation (to reduce right of way encroachment) at 236 Railway Street to be completed under a separate contract. Existing wall material will be matched to the extent possible.
   - Final design expenses will be delayed until the funding availability is confirmed.

5. 2020 Street Lighting
   - On Railway Street down to West Avenue and at the west bridge terminus.
   - Materials cost of $5,950 per light with banner arm on one side.
   - Based on the expected contract size, an advertisement for bids will not be required. Bidding documents will be prepared, then staff will request quotes. The quotes will be brought to the City Council for award.
   - Construction is planned for 2020.

6. Bridgewater Park Ice Area Regrading
   - Preliminary grades determined; discussion of material cost to import about 4” of aggregate for hockey rink base. The grading and aggregate placement will be completed in 2020.

7. Bridgewater Township
   - On 10/14/19 the City Council approved a proposal for 115th Street maintenance from BWT to place 320 tons in 2019 at a cost of $3,248. WSB understands the City has received an invoice for about 50% of the work.
8. Cannon Road
   - Two-year warranty inspection in 2021.

9. City Hall
   - 12/4/19 the third Owner/Architect/Contractor progress meeting was held; exterior masonry work was expected to begin by year end.
   - 1/6/20 Pay Voucher 2 for the Site and Utility Improvements to Swenke Ins Contracting LLC will be considered for approval by the City Council.
   - 1/6/20 Pay Voucher 3 for the Building to Professional Contractors will be considered for approval by the City Council.
   - A utility easement covering the sanitary sewer and watermain was approved by the City Council at the 12/16/19 meeting.

10. Comprehensive Plan Update
    - A public hearing was held at the 11/21/19 Planning Commission meeting. No testimony from the public was offered; the Plan was forwarded to the City Council for approval in early 2020.
    - Staff will be meeting with the Rice County Engineer on 1/29/20 to discuss transportation matters.

11. GIS DataLink
    - DataLink coordination meeting to be held.

12. Hester Street/TH 3 Intersection
    - Consideration of a permanent signal to be identified in MnDOT’s long term planning.

13. Memorial Park Improvements
    - 11/7/19 City staff met with Mike Ludwig to coordinate capital improvements scope and timelines; WSB will identify permitting/approval needs for flood protection work.
    - Berm/trail and sidewalk to be completed in 2021; hosting State Baseball Tournament in 2022.
    - Schedule for paving the entry in early 2022.
    - The play structure will also be evaluated for repair/replacement.
    - 12/9/19 Mike Ludwig indicated the topographic surveys have been completed by the Duke’s consultant; as these will also serve as a basis for the City’s improvements, the survey cost is being shared.

14. Northfield Wastewater Treatment
    - 11/1/19 City staff met with the City of Northfield staff to discuss the wastewater agreement and loading; Dundas action plan to be prepared.
15. Public Works General Tasks / Future Tasks

- On 11/26/19 the Draft Rice County Transportation Improvement Plan (TIP) was forwarded to the City covering the years 2020-2029. The only projects directly impacting Dundas appear to be scheduled for 2026 (CSAH 20 - CSAH 25 to TH 3, reclaim) and 2029 (CSAH 8 - Dundas to CR 77 - Reconstruct).

- A letter will be sent to property owners adjacent to storm ponds and other City properties this winter reminding them to not place yard waste on City property.

- NE corner of Hester Street W. and Depot Street N.- consider options for storm sewer structure at east side of culvert under Depot Street. Look at the culvert on the SE corner of Schilling Drive N. and CSAH 1 at the same time.

- Miscellaneous areas to be surveyed/staked that are in process:
  - City property limits on Bridge Street E, west of 1st Street S.
  - Hester Street bridge over the Cannon River (one survey point on SW abutment)
  - Parcel boundaries containing the west water tower.
  - NE boundary of City parcel on the west side of Cannon Road.

- PW has obtained a quote to replace two valves in the amount of $18,800; Northfield will be contacted about this water interconnect upgrade cost.

- Determine pedestrian bridge weight limit.

- Review the code/policy for frozen water services and the basis for reduced charges when the property owner is encouraged to let the water run.

- Review the code section support for public vs. private service repairs.

- Standard specifications and detail plates.

- Storm water code, including charges, review in January and will consider simplifying the charge computations.

- Update record drawings requirement for projects.

- R/W permit conditions and escrows; irrigation systems.

- 10/30/19 Staff met with a supplier to identify a rough estimate of the cost for citywide water meter replacement, including any software changes. Additional cost information has been provided to the PWD.

- Disbursement requests, including contractor payments, will now be due at City Hall by 4:00 p.m. on the Tuesday prior to the City Council meeting. (instead of noon on Monday)

16. Regional Stormwater and Wetland

- A study will be needed to quantify the treatment capacity and service area for the pond located between Hester Street and CSAH 1, east of 3rd Street North.

- The next storm water pond cleaning project; mostly volunteer trees etc. around the edge.

- In the spring of 2020, a letter will be drafted and sent to all adjoining property owners from WSB notifying them of property boundary staking.

- Topographic surveys will be completed near the 3rd Street flow outlet from Hester Street; possibly extend outlet and flatten side-slope.
17. Schilling Drive Improvements
   - Adjacent to Kwik Trip; roadway to be widened by about two feet on both sides.
   - Project cost of about $109,000 including contingency and soft costs.
   - The City will issue a request for bids for the Schilling Drive roadway widening work; this will not be a “429” project.

18. Stafford Road
   - Two-year warranty inspection in 2021.

19. Water Supply Plan
   - Implementation deadlines to be checked quarterly.

20. Water Towers
   - AT&T has notified the City that they are initiating an update of all existing antenna leases. The City responded indicating interest in renewal. We understand that AT&T is now indicating that they would like to continue using the existing lease, but the City has received nothing in writing. On 12/19/19 John P. again requested a written response from AT&T.
   - East tank washout and inspection not yet scheduled.
   - Sucz agreement to be reviewed/reconsidered post-tank coating repairs in 2020.
   - Before re-coating the east tank, staff will propose changing the exterior color to light blue.

21. Wellhead Protection Plan (WHP)
   - 8/30/19 MDH issued letter extending completion date to 7/31/20.
   - 12/3/19 WSB held an internal kickoff meeting; data gathering has begun for Part 2 of the WHP.
   - The MnDNR has also requested permission to place a groundwater observation well in Schilling Park; there would be no costs to the City. A location will be identified that doesn’t interfere with the City’s future use of this area. We expect the agreement will be brought to the 1/27/20 City Council meeting.

22. Xcel Energy Feeder Line R/W permit
   - MP is the contractor completing the work for Xcel and is on site.
   - 11/27/19 Xcel Energy was notified that incomplete work includes but is not limited to; dirt piles adjacent to the pole installations, boulevard restoration, and turf restoration on private property. They were informed that these site conditions create hazardous situations for pedestrians and other right of way users.

23. A&J Storage
   - Record drawings need to be submitted by the developer.
   - 10/28/19 the Owner’s engineer was contacted about directing the driveway area runoff to the pond, and their schedule for completion.
24. AT&T East tower antenna modification
   - AT&T coordinating with Suez for structural review by Suez.
   - Lease terms to be reviewed in the context of AT&T’s update of all lease agreements.

25. Bridgewater Heights PUD
   - For any future scheduled water service interruptions, at least two days’ notice will be provided.
   - On 12/17/19, in response to the developer’s request, staff authorized a reduction in the Letter of Credit amount.
   - On 1/2/20 the developer requested another LOC reduction. The value of the work remaining will be determined and staff will issue a response that allows an adjustment to this level.

26. Cannon River Valley Estates
   - 9/24/19 the developer was informed that his request to realign the sidewalk north of the development was denied.
   - Punch list to be prepared after all work has been completed.

27. Cannon Valley Makers
   - 11/12/19 a CUP was approved by the City Council; with a minimum of 7 parking stalls to be provided.

28. Chapel Brewing
   - Site compliant from an engineering standpoint.

29. Deborah Addition
   - On 10/17/19 materials were submitted for a subdivision of property at 311 Hester Street. On 11/4/19 an incomplete application notice was sent to the applicant.

30. Dundas Dome Site
   - The Owner has partially addressed the work items that remain, including site grading and landscaping. Another Temporary Certificate of Occupancy has been issued.
   - 10/28/19 the Owner was reminded of the remaining work; most of which cannot be completed until the site dries out; possibly in the spring of 2020.

31. Hosanna Northfield Church
   - City staff is reviewing the original project approvals and applicable codes to determine if the requirement for an Annual Storm Water maintenance report applies to this and other sites; and what code updates may be needed. This reporting is not required per the current City Code; but Public Works will request permission to inspect the system operation.

32. Johnson-Reiland Commercial
   - On 12/12/19, new Grading/Fill Permit applications were received from Johnson-Reiland Commercial for both the Tripper’s Clipper’s site at 616 Highway 3 S.
and the H3D site at 399 Stafford Road N. The grading review will be coordinated with Building permit applications needed for the proposed retaining walls. Grading at the H3D site is proposed to be completed in one year; and the Tripper’s Clippers site grading over multiple years.

33. Kwik Trip
   • Kwik Trip has awarded the bid for site work and Hester to Wencel Construction out of Owatonna, MN.
   • Their current schedule calls for work to begin in late March of 2020.
   • On 12/30/19 the building permit applications were delivered to the City.

34. Menard’s Expansion
   • Some erosion is occurring at the northeast corner of their pond and will need to be stabilized.

35. Ruth’s on Stafford
   • Engineering signed off on the CO on 12/6/19.

36. Van Eekhout Family Trust parcels east of Stafford Road North
   • 8/21/19 City staff met with Duane Fredrickson regarding potential uses.

37. West Avenue Apartments
   • Additional survey information was received on 12/9/19.
   • It is expected that this will be considered at the 1/16/20 Planning Commission meeting.

38. Wolf Creek EAW
   • 8/20/19 WSB forwarded comments to the City for review and submittal to Rice County.

39. Menard’s Gate Expansion
   • On 12/18/19 the City was contacted for existing utility information related to an expansion of the gate at the north end of the building.
As you will recall, the City Council considered orders to declare three properties a public nuisance and order abatement of the nuisances.

The property owner of two of the properties attended the Council meeting on November 25 to appeal staff’s recommendation. One property owner (207 Spring Wheat) had contacted staff and said they would remove the nuisance by June 2020.

During that meeting the City Attorney noted that the City Code was lacking in clarity with respect to the process to declare properties a nuisance and order abatement.

The property at 102 3rd Street South has been cleaned to the satisfaction of the Police Chief.

The property at 210 County Road 1 East appears to have had some of the cars removed but a number remain along with the piles of junk.

I suggest that the Council give direction to staff to re-notice the two property owners (207 Spring Wheat and 210 County Road 1 East) regarding their ability to be heard before the City Council where you can determine if the nuisance exists and give them additional time and/or order abatement.