

**DUNDAS CITY COUNCIL
REGULAR MEETING
Monday, August 25, 2008
7:00 p.m. Dundas City Hall**

Present: Mayor Chad Marks

Councilors: Mary Amy, John Cruz, Tresa Mazurek, John Zander

Others Present: Rollie Green, Doug Kurtt, Chip DeMann, Eric Sieger, Kathleen Doran-Norton, Dan Clites, Jeanne Clites, Kelly R Reich, Sandy Reri, Florence Kuehn, Laurie Kuehn, Bill Kuschel, Mark Abraham, Chad Pribyl, Denny Otten, Joy Otten, Kathy Budig, Pat Shelby, Paul Haik, Dan Zander, Paul Eddy, Christine Finley, Becky Finley, Shari Sneary, Howard Hemme, Kate Roberts (*Northfield News*), Dusty Budd (KYMN), City Attorney Paula Callies, City Engineer Tom McMahan, Chief Gordon Mincke, City Administrator/Clerk John McCarthy, Administrative Assistant Linda Ripka

CALL TO ORDER

Mayor Marks called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance. Roll call was taken; a quorum was present.

PUBLIC FORUM (non agenda item)

Dan Clites (Pastor of Rejoice! Lutheran Church of Northfield) expressed concern there has been a lot of talking between the City of Dundas and Bridgewater Township but no action has been taken regarding the church's proposed building project. Without a Conditional Use Permit (CUP) they are unable to secure a loan. He indicated they are a couple of years from building but they do need to move forward.

Kelly Reich (Northfield) asked for the City and Township to work through their differences so the Church can move forward with their building plan.

Kathleen Doran-Norton (Bridgewater Township Supervisor) talked about the Annexation Area and stated the action was delayed at the last Planning Commission meeting due to lack of quorum. There is an interim ordinance in place, while the Planning Commission works on passing a zoning ordinance. Township staff has policy issues which they would like resolved before creating the ordinances. Any CUP needs to be based on ordinances established by the Planning Commission. .

Chad Pribyl (Pinnacle Drive) stated he lives in Bridgewater Heights and has an issue about a bike path in his backyard. He has presented the issue to City staff and was informed Council was going to address the issue. He reviewed a time line of emails and replies but no resolution has been made on his issue. It is his understanding the developer and builder have communicated about the issue and an easement had been discussed He does not want to give the easement but wants to have the use of his property. He indicated what he wanted from the City is having something in writing to resolve the issue.

Mayor closed the public forum at 7:18 p.m.

APPROVAL OF AGENDA

Motion by Amy, second by Cruz, to approve the agenda. Motion Carried Unanimously (MCU)

CONSENT AGENDA

Motion by Amy, second by Cruz, to approve the Consent Agenda as follows with the removal of the Public Hearing minutes of August 11, 2008:

Regular Meeting Minutes of August 11, 2008;

Shut Off Notices on Delinquent Utility Bill Accounts;

Expenditures for \$21,596.91

MCU

Public Hearing Minutes of August 11, 2008

Motion by Cruz, second by Zander, to approve the Public Hearing minutes of August 11, 2008. MCU

OLD BUSINESS

Authorize Purchase and Installation of Millstone Park Playground Equipment

McCarthy indicated the Parks and Recreation Advisory Board has been working with one of the two vendors submitting quotes. The Public Works Director is concerned about not having play curb and effect on future maintenance. Staff cannot recommend without play curbs being installed in the beginning.

Sieger, Chair of Park Board, felt the curbs could come in later. The Park Board felt the maintenance issue was not as important as getting more equipment.

Marks stated the barrier prevents weed grows and lowers maintenance. He was concerned about future costs compared to the cost now.

Mazurek stated the difference is \$2,510 more than the Council was authorizing for expenditure. Mazurek recommended Council accept the proposal of \$40,510 so as to cover the border, wood fiber and curbs expense. Mazurek and Sieger stated the additional cost could be covered by fund raisers and donations.

Motion by Mazurek, second by Cruz, to accept the quote from Minnesota/Wisconsin Playground in the amount of \$40,510 for the purchase and installation of playground equipment, engineered wood fiber and curbs at Millstone Park. MCU

NEW BUSINESS

Request from Dundas Historical Society Request Use of Pavilion

Motion by Mazurek, second by Zander, to approve the request from the Dundas Historical Society to use the Memorial Park Pavilion at no charge for their event on Sunday, September 28, 2008, from 11:00 a.m. to 2:00 p.m. MCU

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

City Engineer's Report – Tom McMahon reviewed the updated memo of August 21, 2008 concerning issues in Bridgewater Heights. He discussed the property issue previously identified by Chad Pribyl.

Councilor Mazurek expressed disappointment of staff not following through with the property concern from the resident.

McMahon stated his understanding is there has been communication between Horton and Geiger has requested documentation. McMahon commented it is a civil problem and the City is trying to expedite the matter. He reported there has been changes in the ownership of the development and contacts since the original development agreement. It has been an ongoing process over the last year. The trail is to be extended south in the future.

Councilor Amy felt staff needs to get back to people when they indicate they will.

McMahon stated a follow up meeting with the developer will be this week.

McMahon reported on his conversation with Dennis Luebbe of the County's Highway Dept., which included discussing the draft on the NW corridor study and reviewing the route. Final comments to the County are due by the 29th of August, and he didn't see anything that would need to be modified.

Amy requested a time line concerning the issue involving Gary Rock. McMahon indicated the concern is finding out why it is occurring. McMahon stated he is waiting drainage information from Geiger. There has always been water going through the property but the issue is the amount of drainage and if erosion has occurred.

City Administrator/Clerk – John McCarthy

Financial – McCarthy reported general fund expenditures are \$534,871.20 at the end of July, which is about \$115,000 more than last year.

Public Hearing to Adopt Fees – McCarthy reported Dan Petrik updated the fee structure for development fees with a public hearing set for September 29 to adopt the fees.

Annexation Reserve Zoning – McCarthy reported the Planning Commission has expended nearly \$9,000, not including internal staff and resources, trying to develop a zoning code for the annexation area. This was not anticipated in the 2008 budget. Attorneys for both the City and Bridgewater Township have agreed the Planning Commission is the body which will govern planning and zoning in the annexation area. A representative from Bridgewater Township is insisting the ordinance be a “stand-alone” ordinance and not a revision of the City’s ordinance as anticipated by the annexation agreement (Section 11). With no budget it’s difficult for Planning Commission to proceed.

Marks requested Council give him authorization to meet with Bridgewater Township to develop a budget.

Motion by Cruz, second by Amy, to authorize Mayor Marks to meet with the Chair of Bridgewater Township Board concerning zoning in the annexation area and areas of cooperation including financial. MCU

Rejoice! Church - McMahan stated a Zoning Ordinance is needed in the Annexation Area. Attorney Callies stated there are other issues with the Township and the zoning ordinance need to be completed as it is the reason for the current interim ordinance. McCarthy stated the ordinance, as part of the City’s Code, was almost completed by NAC but Bridgewater Township wants it to be a stand alone ordinance.

RECESS: Mayor Marks recessed the Regular Meeting at 8:07 p.m. to continue a recessed Board of Adjustment Meeting. Mayor Marks reopened the regular meeting at 9:20 p.m. Zander absent; Zander returned at 9:32 p.m.

PERA- McCarthy reported the corrected Individual Record of Filing was filed on Friday for three former part time police officers. Amy expressed concern regarding the time line not completed in 30 days as directed by Council. McCarthy stated instead of involving one employee it actually involved four employees.

Councilor’s Reports

Mazurek expressed concern crosswalks not painted since street were sealed. Mazurek stated the seal coating not completed properly on Stafford Lane. McCarthy reported Public Works Director contacted the company and they agreed to come back in the fall when temperatures were cooler.

Mazurek stated she received a complaint there was no signs on the Pavillion restroom doors. She stated she also received a request for recycling bin at Pavilion. Marks indicated there would not be a recycling bin as not good use of staff time.

Mazurek reported all lots but one lot on Grindstone Lane were mowed. She also expressed concerned on the weeds between sidewalks and curbs. McMahan commented the weeds will need to be torched and then sealed.

ADJOURNMENT

Motion by Cruz, second by Mazurek, to adjourn the meeting at 9:41 p.m. MCU

Respectfully submitted,

Attest:

John M. McCarthy, Administrator/Clerk

Chad Marks, Mayor