

**DUNDAS CITY COUNCIL  
REGULAR MEETING  
Monday, September 8, 2008  
7:00 p.m.  
Dundas City Hall**

Present: Mayor Chad Marks

Councilors: Mary Amy, John Zander, Tresa Mazurek (arrived at 7:10 p.m.)

Not Present: Councilor John Cruz

Others Present: Chuck DeMann, Chad Pribyl, Dan Zander, City Attorney Paula Callies, Chief Gordon Mincke, City Administrator/Clerk John McCarthy, Administrative Assistant Linda Ripka.

**Call to Order/Pledge Allegiance**

Mayor Marks called the meeting to order at 7:00 p.m. followed by Pledge of Allegiance. A quorum was present.

**Public Forum** (non agenda items)

Mayor Marks called for any public comments on non agenda items. No one spoke.

**Approval of Agenda**

**Motion by Amy, second by Zander, to approve the Agenda with addition of 7(b) Chad Pribyl. Motion Carried Unanimously (MCU).**

**Consent Agenda**

**Motion by Amy , second by Zander, to approve the Consent Agenda as follows:**

Regular Meeting Minutes of August 25, 2008;

Special Action Claim: Wells Fargo Bond Payment for \$195,130.00;

Expenditures of \$246,063.14

**MCU**

**Ordinances/Resolutions**

Resolution 2008-38 A Resolution Adopting a Preliminary 2009 Budget and Preliminary 2008 Tax Levy Collectable in 2009

McCarthy presented the Preliminary Levy for 2009 of \$651,000 noting it is 8.5% increase over last year or an additional \$51,000. McCarthy reported on various areas and noted increase in public safety is due to the hiring of a third full time officer. The preliminary levy can be reduced in December but it cannot be increased once it is certified.

Amy asked for explanation on increase of \$14,000 in public works area with McCarthy and Marks stating the increase budget amount is primarily employee costs including the addition a summer worker and public streets, lawn mowing, lighting, and utilities.

McCarthy reported on the Parks budget as well as on the current donations. Mazurek stated the Park Board asked for additional funds in the budget for sponsored activities, such as movie night.

Zander asked about fire and ambulance budget amounts. McCarthy reviewed those line items in the budget. Zander asked if the budget will show a decrease in property taxes. McCarthy estimated the tax capacity of housing will probably decrease about 7% based on information received from the Rice County Assessor and estimated housing growth. With decreased capacity and an increased levy, property taxes will most likely increase.

**Ordinances/Resolutions (con't)**

Mazurek expressed concern about not having a higher amount for the preliminary levy stating more dollars should be in reserve. Marks felt the Finance & Legislation Committee put a lot of time in trying to bottom line the budget. Mazurek expressed concern about enough of a cushion being in place for consultants. McCarthy replied there should not be a carry over of billing from consultants this year compared to the previous year, which had a significant impact on the budget. He also stated the Annexation agreement was not budgeted for this year. Kor Ethanol accrued expenses this year, which also were not budgeted.

**Motion by Amy, second by Zander, to adopt Resolution 2008- 38. MCU**

**New Business**Chad Pribyl

McCarthy reported the issue of the trail on the property is a civil matter between the owner, Chad Pribyl and developer; however, the City is trying to expedite the manner. Pribyl stated he would appreciate any assistance.

**Old Business**Zoning Ordinance for Annexation Area

Marks reported on his conversation with Kathleen Doran-Norton from Bridgewater Township and requested Council authorize up to \$1,800.00 to complete the zoning ordinance using NAC. McCarthy stated the estimate was writing a new zoning code instead of referencing sections of the City Code; however, he believes the original agreement references amending the City Code. The zoning code for the annexation area is needed before Rejoice! Church or any one else can build in the Annexation Area.

McCarthy explained the Annexation agreement provides the zoning code be part of the City Code which will include the zoning code for the annexation area. Once the zoning ordinance for this area is completed, it will be under the Planning Commission's authority.

**Motion by Mazurek, second by Amy, to approve the necessary funding and to authorize Mayor Marks to direct NAC to complete a zoning ordinance for the Annexation Reserve Area not to exceed \$1,800.00, and submit the zoning ordinance to the Planning Commission for approval. MCU**

**Reports of Officers, Boards and Committee**City Administrator/Clerk – John McCarthy

*Purchase and Installation of Play Equipment in Millstone Park* – McCarthy reported the playground equipment for Millstone Park has been ordered as approved by Council. Sonnee Environmental has offered to provide the excavation at a reduced rate or possibly at no cost to the City.

*Assessment for Millstone Park* – McCarthy reported 50 property owners have paid their assessments as of this date, which amounts to \$9,250.

*Dundas Trailhead* – McCarthy reported the City has received \$142,858.23 for the Mill Towns Trail Dundas Trailhead. The payments consisted of: \$17,858.23 for the Memorial Park-Mill Towns Trail Connection Grant, \$100,000.00 for the State Trail Cooperative Agreement Mill Towns Trail Access and \$25,000 for the Public Waters Access Cooperative Agreement for the Canon River. This brings the total received in grants and state bonding funds to \$238,803.73.

*Employee Benefit Reporting* - McCarthy stated PERA has informed the City that Minnesota State law prohibits recovering omitted PERA deduction older than three calendar years. Zander asked if employee can contribute the amount with McCarthy to check with PERA.

**Reports of Officers, Boards and Committee**City Administrator/Clerk – John McCarthy (con't)

*County Road Improvements* – McCarthy gave update the County Road 1 project may not take place next year due to ROW acquisition.

*PEIP Insurance Renewal* – The City has received notification of rates for Employee Health Insurance from PEIP and McCarthy stated is also looking at another provider. Renewal is due by October 1, 2008.

*Pay Equity* – McCarthy reported the City has received notification of compliance with the Local Government Pay Equity Act.

*Crosswalk* – McCarthy reported the City has no funds remaining in the street budget for painting crosswalks. He stated the estimate to do the crosswalks would be about \$3,000. Mazurek stated some crosswalks are more of a priority and need to be done. Council requested an estimate on the cost of the more critical areas as identified by Chief Mincke.

*Flagpole Light* – McCarthy reported staff is still working on the light at the flagpole with Guth Electric to give the City options.

**Recess**

Mayor Marks recessed the regular meeting at 8:08 p.m. Mayor Marks reopened the meeting at 8:16 p.m. All present.

**Reports of Officers, Boards and Committee**Councilor's Reports

Mazurek questioned why the steps at City Hall were replaced and where the funds came for doing the project. McCarthy stated the City Hall steps replacement was a maintenance repair as the steps were in an unsafe condition.

Marks questioned the expense of the curb replacement. McCarthy stated the part of the curb replacement was a problem in Bridgewater Heights and should be reimbursed by the developer. Marks requested any maintenance and repairs should be reported to Council, especially when over \$1,000. He also requested the Public Works Director be at the Council meeting or submit a written report.

Mazurek stated the Council should be negotiating with LELIS on the labor agreement for the police. McCarthy contacted LELIS about four months ago and is waiting for LELIS to reply.

Amy stated the six-month follow up evaluation is coming due for John McCarthy. Council set the review for Monday, October 13, 2008.

Mazurek stated the two picnic tables are not at Millstone Park as indicated by McCarthy, who said there was money in the budget. Council directed McCarthy to look into it and recheck the budget.

City Attorney Report – Paula Callies

*Titan Supply Company Request to Amend CUP* - Callies indicated Titan Supply Company has requested an amendment to a current Conditional Use Permit (CUP). She indicated the amendment can be done by Council and requested a public hearing be called.

Mazurek inquired whether Planning Commission isn't the body to hold the public hearing, and then they make a recommendation to Council.

Mayor Marks reported Councilor Zander recused himself from the Council at 8:40 p.m. due to personal interest relating to Titan Supply Company.

Dan Zander stated Titan Supply would like construction to take place this fall and requested the public hearing on the amendment of the Titan Supply CUP be held as soon as possible.

**Mayor Marks called for the Board of Adjustment continuation meeting to be held on or as close as possible to 7:30 p.m. on Monday, September 29, 2008.**

**Mayor Marks called for a public hearing on Monday, September 29, 2008, at 7:45 p.m. or as soon thereafter relating to Titan Supply Company's request for an amendment to a Conditional Use Permit (CUP).**

**Adjournment**

**Motion by Mazurek, second by Amy, to adjourn the meeting at 7:49 p.m. MCU**

Respectfully submitted,

Attest:

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John M. McCarthy, Administrator/Clerk

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Chad Marks, Mayor