

DUNDAS CITY COUNCIL
REGULAR MEETING AGENDA
Monday, February 8, 2010
7:00 p.m.
Dundas City Hall

PRESENT: Mayor Glenn Switzer

Councilors John Cruz, Chad Pribyl, Nathan Ryan, John Zander (arrived at 7:04 p.m.)

OTHERS PRESENT: Chuck DeMann, Mike Ludwig, City Engineer Tom McMahon, Deputy Clerk Linda Ripka, Administrator/Clerk John McCarthy

CALL TO ORDER

Mayor Switzer called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Roll Call Councilor Zander absent; a quorum was present.

PUBLIC FORUM

Mayor asked for any public input. No one spoke.

APPROVAL OF AGENDA

Motion by Ryan, second by Cruz, to approve Agenda. Motion Carried Unanimously (MCU).

CONSENT AGENDA

Motion by Ryan, second by Pribyl to approve the Consent Agenda of:

Approval of Regular Meeting Minutes of January 25, 2010*

Special Action Claims

MN Public Finance Authority - \$30,664.11

Delinquent 90 days Utility Accounts - Discontinue Utility Service

Expenditures - \$49,227.52

Councilor Zander arrived.

MCU

OLD BUSINESS

Annexation Agreement Amendment – Bridgewater Township

Mayor Switzer informed Council the Committee met on February 1. Both attorneys will be reviewing the draft amendments and it should be back for Council review at the next meeting.

Plans for Disposition of County Market Building Materials

John Zander recused himself from Council due to conflict of interest at 7:08 p.m.

Administrator McCarthy stated he received an email from John Zander on January 28, 2010, along with a concept plan for a proposed building to be constructed from the County Market building materials. McCarthy stated in the plan submitted suggested a subdivision of the property, which could create a “landlocked” property. The Dundas Zoning Code requires any proposed project greater than two (2) acres be a Planned Unit Development (PUD) or for the proposer to apply for a waiver of the PUD requirements. Both procedures require a public hearing before Planning Commission with a final determination by the Dundas City Council.

City Engineer McMahon referred to his memo to Council of February 6, 2010, noting areas of concerns with the Concept Plan.

McCarthy reviewed the time line involved with the disposition of the County Market building materials per Resolution 2009-33.

Mayor Switzer suggested John Zander and City staff meet regarding the requirements to meet the required time line established by the Resolution. He noted a meeting with Zander and his engineers would be the most beneficial.

John Zander indicated he needed to meet with his attorney and engineering firm to refine the plan.

OLD BUSINESS

Plans for Disposition of County Market Building Materials (con't)

Motion by Pribyl, second by Cruz, to accept the Concept Plan labled C2.1 submitted by John Zander and prepared by I&S Group as the “preliminary plan” required by Resolution 2009-33. Councilor Cruz stated he wanted to see more details. Mayor Switzer was pleased to see an industrial construction. **MCU (Zander recused)**

Motion by Cruz, second by Ryan, that City staff meet with Zander and his associates by February 18, 2010 to establish how they will be complying with the remaining requirements of Resolution 2009-33 and the Dundas Zoning Code, specifically Exhibits A and B of McMahon’s memo of February 6, 2010. McMahon stated Exhibit A and B requirements will not be complied with by March’s Planning Commission meeting. Council consensus was project needs to move forward. **MCU (Zander recused)**

Titan Supply

Administrator McCarthy reported that at 4:30 p.m. today, the City received an e-mail from Dan Zander agreeing to meet with Staff on Thursday, February 11, 2010, regarding the construction of tanks/bins for Titan Supply. He stated the building official approved plans but not zoning. There is not a major problem with the proposed work but the project needs to meet the zoning requirements. Council table until next meeting. Pribyl asked for clarification on building permit expiration after 180 days.

John Zander indicated his attorney is addressing the issue in another letter.

Engineer McMahon reviewed the letters received from Titan’s attorney and commented on the fourteen month time delay.

Councilor Ryan stated the bins need to be up or removed in a time line addressed.

Councilor Zander returned to Council at 8:52 p.m.

NEW BUSINESS

Purchase Police Squad Car

Motion by Ryan, second by Cruz, to purchase a 2010 Ford Crown Victoria from Dokmo Ford of Northfield for the quoted price of \$21,860.00. MCU

Request for Naming Rights

Administrator McCarthy stated the City received an inquiry from the Dundas Baseball Association regarding the sale of naming rights for the Memorial Park Ball Field.

Mike Ludwig, manager of the Dundas Dukes, indicated sale of naming rights could generate about two thousand a year and would go to the City to offset ball field expenses involved such as utilities. He stated the Dukes are pursuing hosting the State Tournament in 2013, 2014 or 2015. There would be only one sign with no cost to the City.

Motion by Ryan, second by Pribyl, to authorize the City Attorney to draft an agreement to permit the naming of the main ball field of Memorial Park. MCU

LMC Joint Conference

Motion by Ryan, second Cruz, to approve normal and customary expenses for Council members and the City administrator to attend the 2010 Joint Legislative Conference. MCU

REPORTS OF OFFICERS, BOARD, AND COMMITTEES

City Attorney – Paula Callies

Kor Property: Administrator McCarthy indicated on February 4, 2010, the City received a Notice of Reversion of Tax Forfeited Lands from Minnesota Revenue. Attorney Callies contacted Minnesota Revenue and spoke to attorney Lance Staricha regarding the matter.

REPORTS OF OFFICERS, BOARD, AND COMMITTEES

City Attorney – Paula Callies (con't)

Motion by Cruz, second by Ryan, to affirm motion October 12, 2009 to appeal the MN Revenue Notice of Reversion and for City Attorney Callies to expedite the appeal. Motion carried 4 Yes, 1 No. Roll Call: Yes: Switzer, Cruz, Ryan, Pribyl. No: Zander

City Administrator/Clerk – John McCarthy

McCarthy reported on several items included in his Administrator's Report.

Councilor Reports

Councilor Pribyl announced the Park Board will host an Open Skate at the Bridgewater Heights area on Saturday, February 13th from 1:00 to 3:00 p.m. The Park Board will also host an Easter Egg Hunt in March and will arrange for the annual Parks clean up in April.

ADJOURNMENT

Motion by Ryan, second by Cruz to adjourn the regular Council meeting at 8:26 p.m. MCU

Respectfully submitted,

Attest:

Linda Ripka, Deputy Clerk/Treasurer

Glenn Switzer, Mayor