

**DUNDAS CITY COUNCIL
REGULAR MEETING AGENDA
Monday, May 10, 2010
7:00 p.m.
Dundas City Hall**

PRESENT: Mayor Glenn Switzer; Councilors Chad Pribyl, Nathan Ryan, John Zander
ABSENT: Councilor John Cruz

OTHERS PRESENT: Glen Castor, Police Chief Gordon Mincke, City Attorney Paula Callies, City Engineer Tom McMahon, Administrator/Clerk John McCarthy, Deputy Clerk/Treasurer Linda Ripka

CALL TO ORDER

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

Motion by Pribyl, second by Switzer, to approve the Consent Agenda as follows:

Regular Meeting Minutes of April 26, 2010;

Special Action Claim: MAOSA Annual Membership - \$545.70;

Expenditures - \$38,474.80.

Motion Carried Unanimously (MCU)

OLD BUSINESS

Councilor John Zander recused himself from Council at 7:03 p.m.

Titan Supply Building Permit Update

Administrator McCarthy informed the Council the City has not received a complete building permit application from Titan Supply.

Engineer McMahon indicated Dan Zander called him today regarding relocating the stormwater pond so his property and the adjacent property can benefit. McMahon indicated there has been no progress regarding inspection of the property as required under the Conditional Use Permit (CUP).

John Zander indicated they have been working on the pond issue and the easement requirement.

McCarthy stated staff met with Zander's engineer several weeks ago and the engineers indicated they could produce a building permit within two weeks.

Councilor Ryan stated he doesn't want staff to continue to incur further expense and is in favor of revoking the CUP.

Mayor Switzer indicated there has been slight progress and would allow a final extension with conditions for updates.

Engineer McMahon suggested establishing a specific deadline date to be in compliance or Council will proceed with the process of revoking the CUP.

Councilor Pribyl felt the City has been used and owner is not cooperating. He would allow another extension for full compliance; however, if not met, the City should proceed with the process to revoke the CUP.

John Zander indicated they have been working on the pond issue and easement requirement on the properties.

OLD BUSINESS

Titan Supply Building Permit Update (con't)

Motion by Switzer, second by Pribyl, that by June 14, 2010, Titan Supply Company must be in full compliance with all provisions of Resolution 2008 - 39 and Resolution 2004 – 34, including submittal to the City of a complete building permit application. Further, written progress reports are to be provided to the City Administrator/Clerk explaining the status of the permit application and progress in complying with the Conditional Use Permit issued to Titan Supply Company by the end of the business day on May 19, 2010; May 24, 2010; May 26, 2010; June 2, 2010 and June 9, 2010 or the City will begin the process to revoke the CUP.

Mayor Switzer explained he made the motion only because some “forward progress” was being made. Councilor Pribyl indicated he was concerned about past problems with deadlines not being met but would consider one final attempt to work with the applicant. Councilor Ryan suggested scheduling a public hearing to revoke the CUP for June 14th. **Motion carried 2 to 1. Roll Call - Yes: Switzer, Pribyl; No: Ryan.**

Councilor Zander returned at 7:52 p.m.

Amended Annexation Agreement

Mayor Switzer reported the Annexation Agreement Amendment Task Force met on Monday, May 3, 2010. Council reviewed the language including some suggested amendments.

Glen Castor (Bridgewater Township Supervisor) stated use of funds from tax rebate will be decided by the Tax Rebate Committee compose of three from Township and three from the City upon signing of a new annexation agreement.

Glenn Castor stated Bridgewater Township is considering applying for a Department of Agricultural low interest loan to pave Decker and may request the use some of the tax rebate funds. The Town Board will meet on Wednesday, May 12th, to discuss the amendments. Switzer and Castor agreed that a task force meeting could be held if any major questions occurred.

Mayor Switzer recommended tentatively scheduling June 7 for a joint meeting with the Town Board to ratify the amendments.

NEW BUSINESS

Police Vehicle

Motion by Ryan, second by Pribyl, to authorize the City Administrator to sell the 2004 Ford Crown Victoria Police Interceptor at a price determined by the Police Chief, Public Works Director and City Administrator/Clerk. Administrator McCarthy stated preliminary research suggest vehicle resale at about \$3,500 to \$4,000. **MCU**

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

City Attorney – Paula Callies

Kor Property: Attorney Callies reported the City and MN Revenue are progressing to the final resolution of the Kor property issue. The Rice County’s Auditor’s office informed the City on Monday, May 10, the deed has been completed and mailed to the State.

Administrator’s Evaluation: Callies stated the City Council conducted a performance evaluation of City Administrator/Clerk McCarthy at closed meeting on April 26, 2010. McCarthy’s composite score indicated he occasionally exceeds standards. Next review would be in a year.

City Engineer – Tom McMahon

Interceptor Concerns: Engineer McMahon reported a memo was sent to Northfield outlining Dundas concerns regarding the cost sharing of the west side inceptor and possible related repairs of the lift station which were scheduled for abandonment.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

City Engineer – Tom McMahon (con't)

Northfield Chamber of Commerce Transportation Study Group: McMahon report the study group met to review Northfield/Dundas areas transportation plans. The consensus was the east/west routes, specifically CSAH1 between TH246 and TH3 and a north route, either North Avenue or Thye Parkway in Northfield, should be a priority.

Northfield Surface Water Management Advisory Board: City Engineer McMahon and McCarthy participated in the advisory board meeting on May 5, 2010. This was the first of 3 scheduled meetings which are designed to receive input to assist in the development of a surface water management plan for the City of Northfield

City Administrator/Clerk – John McCarthy

Budget and Aid Cuts: Administrator McCarthy reported the state legislature is scheduled to adjourn on May 17 with a \$400 million shortfall. Additional cuts have been recommended by the Governor to local government aid.

Application for Park and Recreation Advisory Board: McCarthy report Terry Allen, who lives in the Millstone Addition area, has applied for the remaining position in the Park and Recreation Advisory Board. The open position is a term expiring at the end of this year.

TH3 Speed Study Request: MnDOT has informed the City the requested Speed Study will be completed in six to eight weeks.

Elections: The State has changed the date of primary election to August 10, 2010. The General Election will still be held on Tuesday, November 2, 2010. Voting will continue to be held at the site of the former Holy Cross Church.

Rice County Planning Commission Public Hearing: McCarthy reported a copy of Resolution 2010-16 was submitted to the Rice County Planning Commission at the public hearing to amend the Highway Commercial District to permit Organized Motor Sports as a Conditional Use. After holding a well attended public hearing, the Rice County Planning Commission voted 6 to 0 to recommend approval of the requested text amendment to the Rice County Zoning Code which would permit Organized Motor Sports as a conditional use in the Highway Commercial District.

Data Practice Request: McCarthy stated a letter was sent to Emily Murphy indicating the City considers her data practice request to be complete.

Mayor and Councilors and Committees

Mill Towns State Trail JPB: Mayor Switzer reported 2010 projects include an underpass in Faribault. There are legal issue between the Railroad and DNR on the eight miles and six acres between Comus and Faribault.

ADJOURNMENT

Motion by Pribyl , second by Ryan, to adjourn the regular meeting of the Council at 8:47 p.m.

Submitted by:

Attested by:

John M. McCarthy, Administrator/Clerk

Glenn Switzer, Mayor