

**DUNDAS CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, July 12, 2010  
7:00 p.m.  
Dundas City Hall**

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

OTHERS PRESENT: Chuck DeMann, Dave Henke, Glen Castore, Dan Zander, William Kunkel, City Attorney Paula Callies, City Engineer Tom McMahan, 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.

**PUBLIC FORUM**

Mayor Switzer called for any public comments on items other than on the agenda.

John Zander, (stepped away from council seat) indicated he is concerned regarding expenditures and sources of funds related to the Trail Head project including the Memorial Park Connection. He indicated he could not believe the City has spent \$285,000 on the Trailhead project and his attempts to obtain further information have been blocked. He stated he will be submitting a data practice request for information related to the Trailhead financing. Zander indicated he was unsure of the data which would be returned and, after referring to himself as a dually elected councilor, suggested retaining the MN State Auditor' Office to conduct an investigative audit review financial status. From reading the city financial information, he believes the City will be insolvent by 2015.

Dan Zander (3550 300<sup>th</sup> Ave Janesville MN) stated the CD recording from the last Council meeting was partially blank, which included the discussion of revoking Titan Supply Company's CUP.

**APPROVAL OF AGENDA**

**Motion by Cruz, second by Ryan, to approve the Agenda with removal of Item 6(a) Resolution 2010-26 Declaring Vacancy on Dundas City Council. Motion Carried Unanimously. (MCU)**

**CONSENT AGENDA**

**Motion by Cruz, second by Ryan, to approve the Consent Agenda as follows:**

**Approval of Regular Meeting Minutes of June 28, 2010;**

**Special Action Claim – Wells Fargo 2006A Tax Increment Bond Interest - \$24,933.50;**

**Expenditures - \$66,120.12.**

**MCU**

**ORDINANCES/RESOLUTIONS**

Resolution 2010-27 Approving Payment of Bridgewater Township Tax Rebate

**Motion by Ryan, second by Cruz, to approve Resolution 2010-27.** Administrator McCarthy reported the City received a letter from Bridgewater Township indicating the Township will restore the contested \$17,022.69 to the Dundas Road Fund Account. **MCU**

**OLD BUSINESS**

Amend Agreement with Henry Albers

**Motion by Cruz, second by Pribyl, to Amend Agreement with Henry E. Albers and authorize the Mayor and City Administrator to sign on behalf of the City.** Administrator McCarthy informed Council that Henry Albers requested permission to create a new lot along West Avenue and has agreed to permit the City to acquire a road right of way in the future. He indicated Attorney Callies drafted an amendment to the agreement based on Albers' request. **MCU**

## OLD BUSINESS

Accept 2009 Audit

**Motion by Pribyl, second by Ryan, to accept the 2009 Audit Report prepared by Tom Cummings, CPA.** Administrator McCarthy stated he reviewed the 2009 Financial Statements as prepared by Tom Cummings, CPA, and the Independent Auditor's Report. Councilor Zander requested tabling accepting the report to allow further time for him to study it. Mayor Switzer indicated he reviewed and compared to previous financial statements and accepts the report. Councilor Ryan stated he has reviewed the report in the two weeks since it was presented to council and accepts it. **Motion carried 4 to 1. Yes: Switzer, Cruz, Ryan, Pribyl. No: Zander**

Mayor Switzer, in response to John Zander's public forum comments, reviewed the draft 2011 Budget projection discussed at the Financial & Legislation Committee. He also reviewed a comparison to the previous four years which had been included for Council's review. Switzer stated the City is in good financial shape in comparison to other cities. Switzer referred to a study from the recent LMC Annual Conference stating if cities do not make changes in their financial policies, they will be broke by 2015, and stated Dundas has made changes to adjust to State aid reductions and changing financial conditions.

ATV/Golf Cart Regulation

**Motion by Cruz, second by Ryan, to add a requirement to apply a sticker to the ATV and Golf Cart annual permits.** Administrator McCarthy reported he and Chief Mincke reviewed concerns regarding the special permits for ATVs and Golf Carts required by Chapter 705 noting there is no way of identifying the holders of valid permits except to stop the operator. He recommended requiring a visible sticker be placed on the vehicle at the time of issuing permits. Councilor Zander stated he is not in favor of any permit. Attorney Callies indicated an ordinance change will be necessary. **Motion carried 4 to 1. Yes: Switzer, Cruz, Ryan, Pribyl. No: Zander.**

## NEW BUSINESS

Northfield/Dundas Joint Meeting

Administrator McCarthy reported on possible discussion items which could be applicable at the joint meeting with Northfield. He suggested wastewater treatment and fire protection were currently of high concern. Other items suggested were safety training, snow removal, certain administrative functions, and water supply. A discussion on water supply and treatment followed.

Consensus of Council was to support effective regionalization of services, develop a supportive procedure by both Councils and determine if there is a spirit of cooperation and staff involvement.

Bridgewater Township Concerns Regarding Tax Rebate

Administrator McCarthy reported Bridgewater Township requested clarification regarding the City's concern on the use of tax rebate funds as expressed by Resolution 2010-18. The Township has also informed the City they will be billing for road work done in 2001. He indicated the City had not authorized City street work by the Township. Consensus of Council was to begin joint meetings with the Township to discuss road and tax rebate issues.

Mayor Switzer suggested having a budget work shop on Monday, August 9 at 5:00 p.m. and a work shop on Monday, August 23 at 6:00 p.m. followed by a Special Meeting with Bridgewater Township at 7:30 p.m.

Glen Castore (Chair of Bridgewater Township) stated the Township submitted the tax rebate in the same format as the previous year and that it is the Township's opinion that the tax rebate funds can be used for roads affected by future annexation.

Engineer McMahan commented on maintenance of Decker Street and 115<sup>th</sup> Street. Council Pribyl indicated the need for a road plan.

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

City Engineer – Tom McMahan

*Northfield Stormwater Advisory Group* – McMahan commented on the meeting July 12 on Northfield’s proposed stormwater ordinance to be adopted October 6, 2010. He had hoped the Northfield ordinance could be a model for the City but at this time, he doesn’t support the proposal.

City Administrator/Clerk – John McCarthy

*Payment from Rice County:* Administrator McCarthy reported the City received the first half tax payment from Rice County of \$722,631.01, which consisted of tax revenue of \$336,071.98. TIF Revenue was \$323,399.23, special assessments \$62,465.87, interest of \$813.94, and \$33,449.71 past due taxes and assessments.

*Insurance Regarding Water Break:* McCarthy reported the City has been informed insurance will not pay for the water break, which occurred in Millstone Square on Archibald Lane.

*Titan Building Permit:* McCarthy reported the City received communication from Erick Kaardal (Titan’s Attorney) on June 30, 2010, indicating Titan Supply Company is planning to apply for a building permit to erect silos under existing 1992 variances. Attorney Callies responded to the communication explaining the variance is no longer valid.

*Rejoice Church Building Project:* McCarthy report staff met with representatives of Rejoice Church to review a concept plan for a new worship space, which requires a Conditional Use Permit.

Mayor and Councilors and Committees

Mayor Switzer reported Mill Towns Joint Power Board met stating DNR and Cannon Falls landowners could not come to terms and funds were lost. He stated Faribault will be doing underpasses for the trails and a segment in Northfield opened.

Finance & Legislature Committee

Mayor Switzer reported the Finance and Legislation Committee met earlier this evening to review the proposed 2011 budget.

ADJOURNMENT

**Motion by Cruz, second by Pribyl, to adjourn regular meeting of the City Council at 9:08 p.m.**

Submitted by:

Attested by:

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John McCarthy, Administrator/Clerk

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Glenn Switzer, Mayor