

**DUNDAS CITY COUNCIL
REGULAR MEETING MINUTES**

**Monday, May 14, 2018
7:00 p.m. Dundas City Hall**

Present: Mayor Glenn Switzer; Councilors John Cruz, Larry Fowler, Grant Modory,

Absent: Councilor Chad Pribyl

Staff Present: City Attorney Paula Callies, City Engineer John Powell, Administrator John McCarthy, Deputy Clerk Linda Ripka

CALL TO ORDER/PLEDGE ALLEGIANCE

Mayor Switzer called the Council meeting to order at 7:01 p.m. with the Pledge of Allegiance. A quorum was present.

PUBLIC FORUM/PRESENTATION

APPROVAL OF AGENDA

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

CONSENT AGENDA

Motion by Cruz, second by Fowler, to approve consent agenda as follows:

Regular Meeting Minutes of April 23, 2018;

New Golf Cart Applicant Lance Helgeson;

Special Action Claims:

MCFOA Annual Duties for Staff - \$135.00;

US Bank GO Water and Sewer Revenue Refund Bonds, Series 2014A - \$6,153.75;

Expenditures - \$236,266.41. MCU

OLD BUSINESS

Authorizing Staff to Prepare Half-cent Sales Tax Question

Administrator McCarthy summarized the proposal made at the previous meeting by representatives of the Northfield Ice Arena Advisory Board asking Council to consider a ballot question approving a half-cent sales tax to assist in the capital cost of constructing a two-sheet community ice arena. He stated Northfield would be responsible for all ongoing costs as well as significant cost for construction.

Motion by Modory, second by Cruz, to authorize staff to prepare the ballot question to be included in the November 2018 General Election. Councilor Modory asked about the 70-30% distribution of the proposed sales tax, especially the 30% effect on Dundas. Councilor Cruz asked how fund raising was proceeding.

Brett Reese (Northfield Ice Arena Advisory Board) stated there is a fundraising committee being organized. Modory asked what impact the failure of any of the three parts to the project, sales tax for both cities and Northfield's property tax referendum, will mean. Discussion followed.

Patrick Tomczik (Northfield resident) spoke against the proposal. **MCU**

ORDINANCES/RESOLUTIONS

Resolution 2018-21 A Resolution Setting a Public Hearing on a Vacation of Drainage and Utility Easement

Motion by Modory, second by Cruz, to approve Resolution 2018-21. Administrator McCarthy stated the public hearing is related to the PUD for the Menard's expansion. Attorney Callies reviewed the process. **MCU**

ORDINANCES/RESOLUTIONS (con't)

Resolution 2018-22 A Resolution Accepting Bids and Awarding Contract for the Stafford Road Project

Motion by Cruz, second by Fowler, to approve Resolution 2018-22. Engineer Powell reviewed the bids and indicated all were below the engineers estimate with the low bid being under by 33.7%. He stated after tabulation and review of qualifications, it is recommended the contract be awarded to Swenke Ims Contracting. He stated the contractor will maintain access to all properties affected by the project. **MCU**

Resolution 2018-23 A Resolution Accepting Bids and Awarding Contract for the Cannon Road Project

Motion by Fowler, second by Cruz to approve Resolution 2018-23. Engineer Powell reviewed the bids and indicated the low bid was below the engineer's estimate by 17.7%. He stated after tabulation and review of qualifications, it is recommended the contract be awarded to Swenke Ims Contracting. He stated as there is limited for access to properties served by the road, it will be closed for the construction. **MCU**

Resolution 2018-24 A Resolution Accepting Bids and Awarding Contract for 2018 PRV Relocation Project

Motion by Modory, second by Cruz, to approve Resolution 2018-24. Engineer Powell reported four bids were received and the low bid was under the engineer's estimate. He explained the procedure needed to relocate the PRV Station and how consideration of employee safety and maintenance costs impacted the price. He stated after tabulation and review of qualifications, it is recommended the contract be awarded to Winona Mechanical, Inc. **MCU**

Resolution 2018-25 A Resolution Calling for a Public Hearing Relating to the Adoption of a Street Reconstruction Plan and the Issuance of Street Reconstruction Bonds Thereunder

Motion by Switzer, second by Cruz to approve Resolution 2018-25. Administrator McCarthy reviewed the requirement for the public hearing. **MCU**

NEW BUSINESS

Administrator McCarthy explained all of the liquor license applications, new and renewals, have been reviewed, processed and are recommended for approval.

New Applicant for Wine On-Sale

Martha's Eats & Treats, LLC

Motion by Fowler, second by Cruz, to approve a Wine On-Sale License for Martha's Eats & Treats at 236 Railway Street North, Suite A, for the period July 1, 2018, through June 30, 2019. **MCU**

New Applicant for 3.2 Beer On-Sale

Martha's Eats & Treats, LLC

Motion by Modory, second by Cruz, to approve an On-Sale 3.2 Liquor License for Martha's Eats & Treats at 236 Railway Street North, Suite A, for the period July 1, 2018, through June 30, 2019. **MCU**

Renewal for Combination On-Sale/Off-Sale Intoxicating Liquor License and Special Sunday On-Sale License

Dawn's Corner Bar, Inc., d/b/a Dawn's Corner Bar

Motion by Modory, second by Fowler, to approve Dawn's Corner Bar, Inc. d/b/a Dawn's Corner Bar at 200 Railway Street North renewal for a Combination On-Sale/Off-Sale Intoxicating Liquor License and Special Sunday On-Sale License for the period July 1, 2018, through June 30, 2019. **MCU**

NEW BUSINESS (con't)

Renewal for Combination On-Sale/Off-Sale Intoxicating Liquor License and Special Sunday On-Sale License

Lyle and Pauline's, Inc., d/b/a L&M Bar and Grill

Motion by Fowler, second by Cruz, to approve Lyle and Pauline's, Inc., d/b/a L&M Bar and Grill at 224 Railway Street North renewal for a Combination On-Sale/Off-Sale Intoxicating Liquor License and Special Sunday On-Sale License for the period July 1, 2018, through June 30, 2019. MCU

Renewal for On-Sale 3.2 Malt Liquor License

Dundas Baseball Association, d/b/a Dundas Duke's

Motion by Modory, second by Fowler, to approve Dundas Baseball Association, d/b/a Dundas Dukes, at 214 First Street South, renewal for an On-Sale 3.2 Malt Liquor License for the period July 1, 2018 through June 30, 2019. MCU

Renewal for Off-Sale Intoxicating Liquor License

AJE Enterprises, Inc., d/b/a Firehouse Liquor

Motion by Fowler, second by Cruz, to approve AJE Enterprises, Inc., d/b/a Firehouse Liquor, at 607 Stafford Road North renewal for an Off-Sale Intoxicating Liquor License for the period July 1, 2018, through June 30, 2019. MCU

Renewal for Off-Sale Intoxicating Liquor License

Four Browns, LLC d/b/a/MGM Wine and Spirits

Motion by Cruz, second by Modory, to approve Four Browns, LLC d/b/a MGM Wine and Spirits at 420 Schilling Drive North renewal for an Off-Sale Intoxicating Liquor License for the period July 1, 2018 through June 30, 2019. MCU

Renewal of Brewer Taproom License

The Meetinghouse, LLC d/b/a Chapel Brewing

Motion by Cruz, second by Modory, to approve The Meetinghouse, LLC d/b/a Chapel Brewing at 15 Hester Street East renewal for a Brewery Taproom On-Sales Liquor License for the period July 1, 2018 through June 30, 2019. MCU

Renewal of Small Brewer Off-Sale Intoxicating Liquor License

The Meetinghouse, LLC d/b/a Chapel Brewing

Motion by Cruz, second by Modory to approve The Meetinghouse, LLC d/b/a Chapel Brewing at 15 Hester Street East renewal for a Small Brewery Off-Sales Liquor License for the period July 1, 2018 through June 30, 2019. MCU

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

City Attorney – Paula Callies

Callies indicated working on various requirements for Menard's public hearing along with a future meeting with Brennan on the proposed development on the old school lot.

City Engineer – John Powell

Powell reviewed his memo with project updates.

City Administrator – John McCarthy

Meeting with Bridgewater Township Supervisors: McCarthy reported he and Councilor Modory met with Bridgewater Supervisors to discuss the tax rebate calculation and issues related to 115th Street.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

City Administrator – John McCarthy (con't)

He stated it was agreed the Rice County's determination of "fully developed" will be used as the trigger for the tax rebates as required by the Orderly Annexation Agreement. He reported concern was expressed by Supervisors regarding 115th Street and storm water management. Discussion on the detour of County Road 1 onto 115th Street followed.

ECRT Grand Opening: McCarthy reported a grand opening event along with ribbon cutting for the East Cannon River Trail will be held on Saturday, June 2 at 10:00 a.m.

WORK SESSION

Consider Zoning Code Amendment Regarding Ground Mounted Solar

Administrator McCarthy reported the Dundas Planning Commission has been working on a revision to the ordinance regarding ground mounted solar generation panels. He stated Commissioners asked Council review the proposed amendment. McCarthy explained it is proposed permit solar as a primary use in industrial zones with a Rural Service Overlay and identified the areas on the zoning map.

Attorney Callies reviewed City Planner Sparks memo and stated current ordinance needs clarification on usage areas. She reviewed various approaches the City could take. McCarthy reviewed the future land use plan and orderly annexation map indicating which areas are guided to industrial zones. Callies indicated the Planning Commission is also starting reviewing the comprehensive plan and would be looking at where does solar energy systems fall into place. She recommended continuing the continue the moratorium through the ongoing comprehensive planning process as part of the City's land use policy evaluation. Councilor Modory asked if someone wanted a business not allowed in the industrial zone how would they proceed. McCarthy stated the business would have to ask for a text or map amendment to the ordinance. Modory expressed concern that future growth may be limited for residential and business development. McCarthy stated solar as a free standing use apparently was not considered at the time the ordinance was originally approved. Mayor Switzer indicated he would want to know there are ways for developments to happen and not have interference.

Callies reviewed the applicability and limits of interim use permits. McCarthy stated Commissioners would like to know if they are proceeding in the right direction for the future development of the City.

Tena Monson, Geronimo Energy, explained security is setup at time of the building permit. She indicated the removal of any structure and panels is simple and are recyclable including posts. She stated there is an agreement in the owner's lease for future development.

Modory explained the City could have criteria for interim use and possibly a Planned Unit Development with constraints. He asked if future change in use could be considered. McCarthy explained the code establishes setbacks for principal use and accessory use in specified areas.

Review 2019 Capital Improvement Plan (CIP)

Administrator McCarthy reviewed the 2019 Capital Improvement Plan (CIP) and explained financing for the City Hall has not been finalized. He reviewed the CIP by department and fund.

ADJOURN

Motion by Cruz, second by Fowler, to adjourn the meeting at 9:07 p.m. MCU

Submitted by:

Attest:

John M. McCarthy, Administrator/Clerk

Glenn Switzer, Mayor