

**DUNDAS CITY COUNCIL
REGULAR MEETING AGENDA
Monday, July 12, 2021
7:00 p.m. Dundas City Hall**

- 1. Call to Order/Pledge Allegiance**
- 2. Roll Call:** Mayor Glenn Switzer; Councilors Larry Fowler, Luke LaCroix, Grant Modory, Luke Swartwood
- 3. Public Forum**
- 4. Approval of Agenda***
Motion by _____, second by _____
- 5. Consent Agenda**
(All items on the Consent Agenda are considered routine and have been made available to the City Council at least two (2) days in advance of the meeting. The items will be enacted in one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which event the item will be removed from this agenda and considered in normal sequence.)
 - a. Regular Minutes of June 28, 2021*
 - b. Resolution 2021-18* A Resolution Requesting Part-Time Police Officers Dominic Milne and Anthony Brecht Acceptance as Members of Public Employees Police and Fire Plan Acceptance as a Member of Public Employees Police and Fire Plan
 - c. Disbursements* - \$234,360.99
Motion by _____, second by _____
- 6. Old Business**
- 7. Ordinances and Resolutions**
 - a. Resolution 2021-19* A Resolution Finding a Nuisance Violation at 417 Second Street North and Ordering Abatement
Motion by _____, second by _____
- 8. New Business**
- 9. Reports of Officers, Boards and Committees**
 - a. City Attorney
 - b. City Engineer*
 - c. City Administrator
 - d. Mayor, Councilors and Committees
- 10. Announcements**
 - a. Park and Recreation Advisory Board – Tuesday, July 13 at 7:00 p.m. at City Hall
 - b. Planning Commission Meeting – Thursday, July 15 at 7:00 p.m. at City Hall
 - c. Dundas EDA Meeting – Monday, July 26 at 6:30 p.m. at City Hall
 - d. City Council Meeting – Monday, July 26 at 7:00 p.m. at City Hall
- 11. Adjourn**

**DUNDAS CITY COUNCIL
REGULAR MEETING MINUTES
Monday, June 28, 2021
7:00 p.m. Dundas City Hall**

UNOFFICIAL MINUTES

Present: Mayor Glen Switzer; Councilors: Larry Fowler, Grant Modory, Luke LaCroix, Luke Swartwood
Staff Present: City Attorney Jared Shepherd, City Engineer John Powell, City Planner Nate Sparks,
Administrator Jenelle Teppen, Deputy Clerk Linda Ripka

CALL TO ORDER/PLEDGE ALLEGIANCE

Mayor Switzer called the Council meeting to order at 7:04 p.m. with the pledge of allegiance. A quorum was present.

PUBLIC FORUM - No public input.

APPROVAL OF AGENDA

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

CONSENT AGENDA

**Motion by Fowler, second by Swartwood, to approve the consent agenda as follows:
Regular Minutes of June 14, 2021;
Disbursements - \$111,949.67. MCU**

OLD BUSINESS

No old business presented to Council.

ORDINANCES AND RESOLUTIONS

Ordinance 2021-07 An Ordinance Amending City Code Title IX: General Regulations, Chapter 92: Health and Safety; Nuisances, and Title XV: Land Usage, Chapter 151: Minimum Housing Standards Code

Administrator Teppen reviewed the purpose and sections of Chapter 92 and Chapter 151 of the City Code that is recommended to be adjusted. She stated language and process were reviewed indicating sections repealed and the addition of language for clarity.

Motion by Modory, second by Swartwood, to approve Ordinance 2021-07 and Summary of Ordinance 2021-07 for publication. MCU

Resolution 2021-17 A Resolution to Approve the Northfield Fire Relief Association Increase to Pension Level Benefits and Corresponding Bylaw Change

Administrator Teppen stated the NAFRS Joint Powers Board met on May 20, 2021, approving the increase pension for firefighters. She stated all parties are required to approve the increase noting Northfield has approved by resolution.

Representatives of Northfield Fire Relief Association (NFRA), Bron Scherer and T.J. Dvorak said that the last increase was in 2018. Scherer said the pension fund is currently overfunded at \$7.5 million and is in good standing. He reviewed the qualification factors for pension. He stated NFRA is separate from NAFRS noting purpose of the pension, funding source, investment in conservative market, and budget of the plan. Dvorak stated pension is a lump sum payout based on years of service. Scherer noted the State Auditor report has all documentation of NFRA and shows comparison state-wide.

Motion by Fowler, second by Swartwood, to approve Resolution 2021-17. MCU

NEW BUSINESS

Consider Maintenance Agreement with Cummins, Inc.

Engineer Powell reviewed the three-year generator routine maintenance agreement submitted by Cummins, Inc. for \$11,140.57 noting an increase of 3.7% from previous agreement. He stated the maintenance covers backup generators at Lift Station 1, Lift Station 2 and Well 2. He stated funds are budget in Sewer Operations and Water Operations.

Motion by Swartwood, second by Fowler, to approved a three-year routine generator Maintenance Agreement with Cummins, Inc. for the period 2021 thru 2023 at a cost of \$11,140.57. MCU

Consider Approving Anthony Brecht as Part-Time Police Officer

Administrator Teppen requested Anthony Brecht be approved to hire as the third part-time officer noting he has met all the requirements. She stated this position is part of the police budget.

Motion by Fowler, second by LaCroix, to approve hiring of Anthony Brecht as a part-time police officer. MCU

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

City Engineer – John Powell

Powell replied to Council member Fowler’s question regarding the elevated levels of TSS (Total Suspended Solids) that are sent to the Northfield Wastewater Treatment Plant. He stated testing has produced inconsistent results over the past several years and staff has been unable to clearly pinpoint where the TSS is originating from noting the City has purchased a sampler and has begun the process to identify the source. He said the City is working on a pretreatment plan indicating the cost is estimated at about \$300,000 to \$500,000.

Powell reviewed the City’s water supply plan due to recent hot weather causing usage increase.

City Administrator – Jenelle Teppen

Teppen requested setting a time for her review and stated the City attorney has the form to send out.

Mayor, Councilors and Committees

Councilor LaCroix asked about pothole and patching on areas of Hester Street. Powell explained that the Council approved the bid from BMI at the June 14th meeting and those areas will be addressed when BMI is doing the Hester Street Mill and Overlay.

ADJOURN

Motion by Fowler, second by LaCroix, to adjourn the meeting at 7:59 p.m. MCU

Submitted by:

Attest:

Jenelle Teppen, City Administrator

Glenn Switzer, Mayor

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

RESOLUTION NUMBER 2021 - 18

*A Resolution Requesting Part-Time Police Officers
Dominic J. Milne and Anthony Brecht
Acceptance as Members of Public Employees Police and Fire Plan*

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statute 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of Police Departments whose position duties meet the requirements stated therein and listed below.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Dundas, Minnesota, hereby declares that a position titled Part-Time Police Officer, is held by Dominic J. Milne and by Anthony Brecht who both meet all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota Peace Officer Standards and Training Board under Sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general laws of the State;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest; and
5. Said position is assigned to a designated police department.

BE IT FURTHER RESOLVED, that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of employee's initial Police and Fire salary deduction by the governmental subdivision.

ADOPTED by the City Council of the City of Dundas, Minnesota this 12th day of July 2021.

CITY OF DUNDAS BY:

ATTESTED:

Glenn Switzer, Mayor

Jenelle Teppen, Administrator/Clerk

DISBURSEMENT REPORT

City of Dundas
Council Meeting July 12, 2021

DATE	PAYABLE	AMOUNT
7/1/2021	PERA	\$3,075.35
7/1/2021	State of MN Empower Retirement	\$1,200.00
7/1/2021	MN Dept of Revenue	\$1,056.41
7/1/2021	IRS	\$5,407.10
7/1/2021	Payroll PP# 13 Employees	\$15,176.73
7/1/2021	Payroll PP#7 Council	\$1,927.57
	Sub Total Paid Payroll and Sales Liabilities	\$27,843.16
6/30/2021	RDC Monthly	\$59.00
6/30/2021	ACH Per Item	\$23.00
6/30/2021	Low Volume ACH Maitenance	\$5.00
7/2/2021	Wire Transfer Fee	\$15.00
7/2/2021	U.S. Bank Trust	\$135,000.00
7/6/2021	PSN Monthly Service	\$304.25
6/30/2021	Cardmember Service Card	\$1,199.19
7/12/2021	Bills paid (Claims Register)	\$69,912.39
	Sub Total Paid Claims and Service Liabilitie	\$206,517.83
TOTAL	Payroll/Disbursements for July 12, 2021	\$234,360.99

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Payments

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Refer	0 Orion Investments Inc	-			
Cash Payment	E 101-46500-810 Refunds/Reimbursement	Tax Abatement			\$1,526.48
Invoice					
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$1,526.48
Refer	0 SHORT ELLIOT HENDRICKSON, IN	-			
Cash Payment	E 601-49400-303 Engineering Fees	Review - Inspection			\$619.08
Invoice 407144	6/14/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$619.08
Refer	0 GALLS, LLC,-DBA KEEPRS	-			
Cash Payment	E 101-42100-217 Uniforms	uniforms			\$25.56
Invoice 018710171	6/29/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$25.56
Refer	0 BENNY H. SVIEN	-			
Cash Payment	E 101-42400-311 Bldg Permit Expense	Permit #4162			\$11.24
Invoice	6/25/2021				
Cash Payment	E 101-42400-312 Plan Review Expense	Permit #4162			\$243.35
Invoice	6/25/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$254.59
Refer	0 BENNY H. SVIEN	-			
Cash Payment	E 101-42400-311 Bldg Permit Expense	Permit #4164			\$2.30
Invoice	6/30/2021				
Cash Payment	E 101-42400-312 Plan Review Expense	Permit #4164			\$49.81
Invoice	6/30/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$52.11
Refer	0 JENELLE TEPPEN	-			
Cash Payment	E 101-41000-330 Travel	Mileage Reimbursement			\$38.92
Invoice					
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$38.92
Refer	0 VERIZON	-			
Cash Payment	E 101-42100-321 Telephone & Communic	cell phones-May 12-June 11			\$128.50
Invoice 9881775340					
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$128.50
Refer	0 WSB & ASSOC INC	-			
Cash Payment	E 101-41000-303 Engineering Fees	2021 City Engineering			\$800.00
Invoice R-017408-000-5	6/25/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$800.00
Refer	0 WSB & ASSOC INC	-			
Cash Payment	E 101-45200-303 Engineering Fees	Memorial Park Improvements			\$156.25
Invoice R-010169-000-19	6/25/2021				
Cash Payment	E 601-49400-303 Engineering Fees	Water Tower Mainenance			\$31.25
Invoice R-010169-000-19	6/25/2021				
Cash Payment	E 602-49450-303 Engineering Fees	Wastewater Pre-Treatment			\$147.75
Invoice R-010169-000-19	6/25/2021				
Cash Payment	E 101-41910-303 Engineering Fees	Right of Way Permits			\$250.00
Invoice R-010169-000-19	6/25/2021				

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Cash Payment	E 601-49400-303 Engineering Fees	Water Supply System		\$375.00
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	E 101-41910-303 Engineering Fees	Mill Towns Trail Head		\$1,850.50
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	E 101-41910-303 Engineering Fees	2021 Sidewalk/Trail Improvements		\$125.00
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	E 101-41910-303 Engineering Fees	Pavement Maintenance		\$875.00
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	E 602-49450-303 Engineering Fees	Wastewater System		\$3,752.50
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	E 225-43150-303 Engineering Fees	Storm Water System		\$125.00
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	E 101-41910-303 Engineering Fees	Comp Transportation Planning		\$500.00
Invoice	R-010169-000-19 6/25/2021			
Cash Payment	G 430-22013 Escrow - Brd. Hgt. Pre. Plat	Tower Park Improvements and Planning		\$156.25
Invoice	R-010169-000-19 6/25/2021			
Transaction Date	7/7/2021	Frandsen Bank	10100	Total \$8,344.50
Refer	0 WSB & ASSOC INC			
Cash Payment	G 430-22013 Escrow - Brd. Hgt. Pre. Plat	Bridgewater Heights PUD Amendment		\$281.25
Invoice	R-010168-000-48 6/25/2021			
Cash Payment	E 101-41910-303 Engineering Fees	AT&T Antenna Modification-East Water T		\$156.25
Invoice	R-010168-000-48 6/25/2021			
Cash Payment	G 430-22013 Escrow - Brd. Hgt. Pre. Plat	Tower Heights PUT Amendment		\$2,796.00
Invoice	R-010168-000-48 6/25/2021			
Cash Payment	E 101-41910-303 Engineering Fees	Stoneridge Hills		\$1,430.00
Invoice	R-010168-000-48 6/25/2021			
Transaction Date	7/7/2021	Frandsen Bank	10100	Total \$4,663.50
Refer	0 CARTIME, INC			
Cash Payment	E 101-42100-400 Repairs and Maintenanc	repair on squad car		\$734.29
Invoice	240012 7/6/2021			
Transaction Date	7/7/2021	Frandsen Bank	10100	Total \$734.29
Refer	0 CORINNE DUNCAN			
Cash Payment	R 101-34950 Other Revenues	refund on park rental		\$65.00
Invoice				
Cash Payment	G 101-20800 Sales Tax	refund on park rental		\$7.00
Invoice				
Cash Payment	R 101-34780 Park Fees	refund on park rental		\$80.00
Invoice				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total \$152.00
Refer	0 GUTH ELECTRIC, INC			
Cash Payment	E 601-49400-400 Repairs and Maintenanc	work performed on well house retrofit		\$1,379.00
Invoice	17499 6/30/2021			
Transaction Date	7/7/2021	Frandsen Bank	10100	Total \$1,379.00
Refer	0 LMCIT			
Cash Payment	E 603-49500-301 Auditing and Acct g Servi	Workers Comp Coverage Premium		\$178.50
Invoice	7/6/2021			
Cash Payment	E 225-43150-301 Auditing and Acct g Servi	Workers Comp Coverage Premium		\$178.50
Invoice	7/6/2021			

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Cash Payment Invoice	E 602-49450-301 Auditing and Acct g Servi	Workers Comp Coverage Premium			\$446.25
	7/6/2021				
Cash Payment Invoice	E 601-49400-301 Auditing and Acct g Servi	Workers Comp Coverage Premium			\$446.25
	7/6/2021				
Cash Payment Invoice	E 101-41000-301 Auditing and Acct g Servi	Workers Comp Coverage Premium			\$2,320.50
	7/6/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$3,570.00
Refer	0 MARCO, INC				
Cash Payment Invoice	E 101-41000-413 Rental	Printer Lease 6/21/21-7/20/21			\$304.26
	29601134 6/28/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$304.26
Refer	0 MELIZA, DUANE				
Cash Payment Invoice	E 101-43100-330 Travel	mileage reimbursement			\$160.33
	7/6/2021				
Cash Payment Invoice	E 101-45200-330 Travel	mileage reimbursement			\$22.90
	7/6/2021				
Cash Payment Invoice	E 601-49400-330 Travel	mileage reimbursement			\$164.91
	7/6/2021				
Cash Payment Invoice	E 602-49450-330 Travel	mileage reimbursement			\$109.94
	7/6/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$458.08
Refer	0 METRO FIBERNET LLC				
Cash Payment Invoice	E 101-41000-321 Telephone & Communic	phone charges			\$122.61
	7/1/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$122.61
Refer	0 METRO FIBERNET LLC				
Cash Payment Invoice	E 601-49400-321 Telephone & Communic	phone charges			\$149.41
	7/1/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$149.41
Refer	0 METRO FIBERNET LLC				
Cash Payment Invoice	E 101-42100-321 Telephone & Communic	phone charges			\$79.21
	7/1/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$79.21
Refer	0 PLUNKETTS PEST CONTROL				
Cash Payment Invoice	E 101-41000-440 Cleaning Service	general pest control program			\$241.61
	7138797 7/2/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$241.61
Refer	0 SERVICEMASTER BY AYOTTE				
Cash Payment Invoice	E 101-45200-440 Cleaning Service	contract janitorial services for June			\$195.00
	908851 7/7/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$195.00
Refer	0 UTILITY SERVICE CO., INC				
Cash Payment Invoice	E 601-49400-400 Repairs and Maintenanc	Pedisphere East Tower			\$5,271.53
Cash Payment Invoice	E 601-49400-400 Repairs and Maintenanc	Composite West Tank			\$6,196.05

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Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$11,467.58
Refer	0 XCEL ENERGY	-			
Cash Payment	E 101-43124-381 Electricity	utilities			\$37.33
Invoice	738303252 7/1/2021				
Cash Payment	E 101-45200-381 Electricity	utilities			\$13.14
Invoice	738303252 7/1/2021				
Cash Payment	E 101-45200-381 Electricity	utilities			\$827.57
Invoice	738303252 7/1/2021				
Cash Payment	E 601-49400-381 Electricity	utilities			\$102.23
Invoice	738303252 7/1/2021				
Cash Payment	E 101-43100-381 Electricity	utilities			\$129.29
Invoice	738303252 7/1/2021				
Cash Payment	E 602-49450-381 Electricity	utilities			\$22.74
Invoice	738303252 7/1/2021				
Cash Payment	E 601-49400-381 Electricity	utilities			\$22.74
Invoice	738303252 7/1/2021				
Cash Payment	E 601-49400-381 Electricity	utilities			\$145.44
Invoice	738303252 7/1/2021				
Cash Payment	E 602-49450-381 Electricity	utilities			\$473.75
Invoice	738303252 7/1/2021				
Cash Payment	E 601-49400-381 Electricity	utilities			\$40.48
Invoice	738303252 7/1/2021				
Cash Payment	E 601-49400-381 Electricity	utilities			\$11.78
Invoice	738303252 7/1/2021				
Cash Payment	E 101-45200-381 Electricity	utilities			\$46.97
Invoice	738303252 7/1/2021				
Cash Payment	E 601-49400-381 Electricity	utilities			\$2,998.03
Invoice	738303252 7/1/2021				
Cash Payment	E 101-45200-381 Electricity	utilities			\$18.31
Invoice	738303252 7/1/2021				
Cash Payment	E 101-42100-381 Electricity	utilities			\$85.47
Invoice	738303252 7/1/2021				
Cash Payment	E 101-43100-381 Electricity	utilities			\$85.47
Invoice	738303252 7/1/2021				
Cash Payment	E 101-43124-381 Electricity	utilities			\$69.16
Invoice	738303252 7/1/2021				
Cash Payment	E 101-41000-381 Electricity	utilities			\$480.95
Invoice	738303252 7/1/2021				
Cash Payment	E 101-41000-381 Electricity	utilities			\$79.04
Invoice	738303252 7/1/2021				
Cash Payment	E 101-43124-381 Electricity	utilities			\$1,834.60
Invoice	738303252 7/1/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$7,524.99
Refer	0 MINNESOTA OCCUPATIONAL HEA	-			
Cash Payment	E 101-42100-310 Professional Services	drug screening			\$62.00
Invoice	372798 6/30/2021				
Transaction Date	7/7/2021	Frandsen Bank	10100	Total	\$62.00

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Fund Summary

	10100 Frandsen Bank
101 GENERAL FUND	\$33,766.73
225 STORM SEWER	\$586.00
430 ESCROW DEPOSITS	\$3,233.50
601 WATER	\$18,730.45
602 SEWER	\$5,715.21
603 REFUSE	\$7,880.50
	<hr/>
	\$69,912.39

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$69,912.39
Total	<hr/>
	\$69,912.39



REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council

FROM: Jenelle Teppen, City Administrator

SUBJECT: Consider Approving Resolution 2021-19 Finding a Nuisance Violation at 417 Second Street and Ordering Abatement

DATE: For the City Council Meeting of July 12, 2021

PURPOSE/ACTION REQUESTED

Consider approving Resolution 2021-19 finding a nuisance violation at 417 Second Street and Ordering Abatement.

SUMMARY

The property owner at 417 Second Street was notified on June 14, 2019 that their property has accumulations of exterior storage, throwing, dumping, or depositing of waste, refuse, trash, garbage, junk, debris, disused machinery, household appliances, or automobile components; exterior storage of pipe, lumber, forms, machinery on-site; there are also junk and abandoned vehicle/s parked on non-approved parking spaces.

Notice was sent via certified mail and it was posted directly on the property (attached). They have also been notified via direct posting on the property that they have been given this opportunity before the City Council.

Should the property owner appear, the Council should give them an opportunity to speak to the nuisance violation. Following that the Council should discuss how they would like to proceed. The Council may consider allowing additional time to clean the property (abate the nuisance), or they may decide that the property owner has had adequate time to abate it.

Once the Council has determined that the nuisance exists and whether the property owner has had adequate time to abate it, they should consider a motion that the Council has found the conditions to be a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the City will abate the nuisance. The costs to abate the nuisance will be the responsibility of the property owner and should the bill go unpaid, the City will certify the costs (plus an administrative fee) to the County for collection with property taxes.

RECOMMENDATION

Motion to approve Resolution 2021-19 Finding a Nuisance Violation at 417 Second Street and Ordering Abatement

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

RESOLUTION NUMBER 2021 - 19

*A Resolution Finding a Nuisance Violation at 417 Second Street North
and Ordering Abatement*

WHEREAS, the Dundas Police Department has previously sent letters and made personal contact with the occupants of the property located at 417 Second Street North, Rice County PID 17.11.3.51.022, in the City of Dundas notifying them that the property constitutes a nuisance violation with accumulations of exterior storage, throwing, dumping or depositing of waste, refuse, trash, garbage, junk or debris of any nature or description; and

WHEREAS, the property owner has failed to comply with the terms and conditions of the nuisance abatement letter and the property remains a nuisance; and

WHEREAS, pursuant to Section 92.21 of the City Code, the Police Department posted notice on the property notifying them that the City Council would be holding a hearing on July 12, 2021, at 7:00 p.m. at City Hall in the City of Dundas to determine if the property remained a nuisance property and offering the owner the opportunity to be heard on the issue.

NOW THEREFORE, BE IT RESOLVED, based upon the entire record, including photographs and notices to the property owner:

1. The conditions on the property located at 417 Second Street North in the City of Dundas constitute a nuisance in violation of Section 92.16 of the City of Dundas Code of Ordinances.
2. The property owner is hereby ordered to abate said nuisance no later than 20 days from the date of this Resolution, which shall also constitute an Order of Abatement pursuant to Section 92.21 of the City of Dundas Code of Ordinances. Abatement means the property owner must remove all accumulations of exterior storage, garbage, junk, refuse, debris to the satisfaction of City Staff.
3. City Staff is hereby authorized and directed to serve a copy of this Order on the record owner of the subject property either in person or by certified or registered mail. If the owner refuses to accept service, this Order shall be served by posting it on the front door of the premises.
4. If said property owner does not comply with this Order, the City Attorney shall proceed with seeking injunctive relief or obtaining an administrative search and seizure warrant to allow the City of Dundas to abate the nuisance.

ADOPTED by the City Council of the City of Dundas, Minnesota this 12th day of July 2021.

CITY OF DUNDAS BY:

ATTESTED:

Glenn Switzer, Mayor

Jenelle Teppen, Administrator/Clerk



June 14, 2021

Maria Raquel Pineda Mesa and/or Raquel Rocha
417 2nd Street N
Dundas, MN 55019

Dear Maria Raquel Pineda Mesa and/or Raquel Rocha;

The City has received several complaints about your property at 417 2nd Street N. After inspection, it was discovered that there are several issues evident on the property and reflected in the attached photographs that were taken on Friday, June 4, 2021.

Issues identified are regulated by the City Code regarding 1) Public Nuisances and 2) Public Nuisances Affecting Health, 3) Nuisance Parking and Storage and 4) Off Street Parking Requirements.

City Code Sections 92.15 and 92.16 address Public Nuisances Affecting Health.

§ 92.15 PUBLIC NUISANCE.

A person must not act or fail to act in any manner that causes a public nuisance. For purposes of this chapter, a person that does any of the following is guilty of maintaining a public nuisance:

- (A) Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public;
- (B) Interferes with, obstructs or renders dangerous for passage any public highway or right-of-way or waters used by the public; or
- (C) Does any other act or omission declared by law or this chapter to be a public nuisance.

§ 92.16 PUBLIC NUISANCES AFFECTING HEALTH.

The following are hereby declared to be nuisances affecting health:

- (A) Exposed accumulation of decayed or unwholesome food or vegetable matter;
- (B) All diseased animals running at large;
- (C) All ponds or pools of stagnant water;
- (D) Carcasses of animals not buried or destroyed within 24 hours after death;
- (E) Accumulations, exterior storage, throwing, dumping or depositing of any of the following on unlicensed or unauthorized public or private property:
 - (1) Waste, refuse, trash, garbage, junk or debris of any nature or description;
 - (2) Manure, decaying matter or unwholesome food or vegetable matter;
 - (3) Disused machinery, household appliances or automobile components;
 - (4) Poisonous or injurious substances;
 - (5) Brush piles, vegetation, uncut wood or lumber or firewood not neatly stacked or secured;
 - (6) Discarded household goods, clothing, shoes and furniture;
 - (7) Piles of sand, stones, dirt, ashes or cinders; and/or
 - (8) Other items that tend to cause an unsightly appearance, which may create fire, health or safety hazards, which allow for the harboring of rodents, vermin or the rank undergrowth of vegetation.
- (F) Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
- (G) The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances;

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- (H) All noxious weeds and other rank growths of vegetation upon public or private property;
- (I) Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- (J) All public exposure of people having a contagious disease;
- (K) Any offensive trade or business as defined by statute not operating under local license;
- (L) The exterior storage of pipe, lumber, forms, steel, machinery or similar material unless shielded from public view and in conjunction with a building permit for the use of these materials on site;
- (M) The piling, keeping, parking or exterior storage of any motor vehicle that is not in operating condition, is partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation within the state, pursuant to M.S. Ch. 168B, as it may be amended from time to time.

§ 92.19 NUISANCE PARKING AND STORAGE.

(A) *Declaration of nuisance.* The outside parking and storage on residentially zoned property of large numbers of vehicles and vehicles, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements of this section is declared a public nuisance because it: 1) obstructs views on streets and private property; 2) creates cluttered and otherwise unsightly areas; 3) prevents the full use of residential streets for residential parking; 4) decreases adjoining landowners' and occupants' use and enjoyment of their property and neighborhood; and 6) otherwise adversely affects property values and neighborhood patterns.

(B) *Unlawful parking and storage.*

(1) A person must not place or store outdoors, or allow the exterior placement or storage of pipe, lumber, forms, steel, machinery, concrete, bricks, stone, shingles or similar material unless shielded from public view and in conjunction with a building permit for use of these materials on site;

(2) The parking and storage of vehicles, trailers, boats and other such items on property in violation of § 154.067 of this code of ordinances.

§ 154.067 OFF-STREET PARKING REQUIREMENTS.

(D) *Parking and access in residential districts.*

(1) All vehicles must be parked in driveways, garages or on approved parking surfaces. No vehicles may be parked on lawn areas, even if fenced.

(2) All lots in residential districts are permitted one driveway access to a public street.

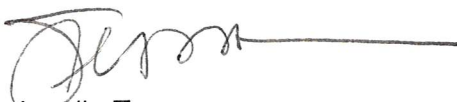
(3) All property access shall be via a permitted driveway.

(4) Driveway surfaces shall be constructed of asphalt, concrete or pavers.

You will have 15 days from the date of this letter to abate the nuisances. Should limited action or no action be taken to abate these nuisance violations, the City Council will be notified and a hearing will be scheduled before the Council. The Council will then decide as to the validity of the nuisance and may order that if the nuisance is not abated within the time period set forth by the Council, the City will abate the nuisance and bill you for the cost to do so.

If you should have any questions after reading through this, please let me know. I can be reached at 507.645.2852.

With regards,



Jenelle Teppen
City Administrator

Cc; Todd Hanson, Police Chief











July 8, 2021

Maria Raquel Pineda Mesa and/or Raquel Rocha
417 Second Street
Dundas, MN 55019

Dear Maria Raquel Pineda Mesa and/or Raquel Rocha;

On June 4, 2021 you were notified by the City that there were ordinance violations on your property at 417 Second Street and that you had 15-days in which to abate the violations.

As of today, the nuisance violations have not been abated.

The next step set forth by City Code Section 92.20 (2) is Notice of City Council hearing.

You will be afforded a hearing before the City Council on Monday, July 12, 2021 at 7 pm.

If you choose to attend that hearing you will be allowed to speak and answer any questions from the City Council. At the conclusion of the discussion, the Council will determine whether the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the City may abate the violation.

You will be responsible for the cost of the abatement and should the bill go unpaid, the City will assess the cost to the County Auditor for collection with property taxes.

If you should have any questions in the meantime, I can be reached directly at 507.645.2852.

Sincerely,

A handwritten signature in black ink, appearing to read "Jenelle Teppen", with a long horizontal line extending to the right.

Jenelle Teppen
City Administrator

Photos from July 7











City of Dundas
Public Works Staff Meeting / City Engineer Update 7/8/21

June 23, 2021
Agenda

The City Administrator, Public Works Director, and City Engineer meet at least monthly to plan and review projects and tasks, and to discuss public works matters of all types. The agenda used for the most recent Public Works staff meeting forms the basis for the updates that are provided to the City Council. Following is the most recent Public Works staff meeting agenda with notes added.

1. 2021 Street Maintenance

- \$75,000 budgeted for Road Maintenance which includes annual road repairs, patching, crack filling, seal coat, etc. in 2021.
- On 3/22/21 the City Council awarded the contract for the 2021 Seal Coat to Pearson Bros. Inc.; the seal coat work was completed on 6/16/21. ***The 2nd sweeping has been completed.***
- On 6/14/21 the City Council accepted the Hester Street M&O quotes and awarded the contract to Bituminous Materials Inc. (BMI) for the quote amount of \$44,995. BMI plans to begin this work in mid-July.
- Staff will solicit a quote from BMI for the Bridge Street/2nd repairs and other minor patching.
- ***An RFQ for Pavement Marking within the seal coat areas, including the area east of TH 3 on Hester Street, was issued on 7/2/21; quotes are due back the afternoon of 7/12/21.***

2. 2021 Sidewalk/Trail Improvements

- ECRT North-south connection along 1st Street North.
 - A drain will be put in place to carry the roadway runoff under the trail south of the ECRT connection.
 - Staff will be issuing a request for quotes for this trail work and any drainage modifications at the roadway low point.
 - Striping of a crossing of Hester Street at 1st Avenue will be pursued with Rice County.

3. 2021 Storm Sewer Maintenance

- Hester Street
 - On the south side of Hester Street between the Menard and City ponds; the storm sewer outlet from 3rd Street will be extended, and the pond side slopes flattened in this area.
 - ***7/8/21 Menard Inc. legal staff are reviewing the City's request to obtain a right of entry onto their property to complete this work.***
- NE corner of Hester Street W. and Depot Street N. options are being considered for a new storm sewer structure at east side of the culvert under Depot Street.
- On the SE corner of Schilling Drive N. and CSAH 1 there appears to be a buried structure, this will be located and adjusted to grade.
- Minor modification work to the catch basin near the Dundas Dome driveway to lower the inlet elevation.

4. 2023 Street Lighting
 - On Railway Street down to West Avenue; and including lights at each end of the pedestrian bridge over the Cannon River.
 - \$120,000 capital levy over three years, 2021-2023. Updated pricing will be requested from the supplier.
 - ***Use of shorter (16') poles at City Hall will be reviewed; the existing poles would re-located to the Railway Street/Memorial Park area.***
5. 2021 and 2022 Street Sweeping
 - On 4/12/21 the City Council awarded the contract for citywide street sweeping in 2021 and 2022 to Sanford Services LLC.
 - ***Due to recent weather, an additional sweeping will be considered for those areas from 1st Street to the west, and south of Hester Street, to be completed on an hourly basis per the agreement.***
6. 2021 Sanitary Sewer Cleaning and Televising
 - Citywide cleaning/televising will be completed on a 4-year rotation; 25% each year.
 - On 4/12/21 the City Council awarded the contract to Underground Technologies; the work has been completed.
7. 2021 Water Meter Technology Update
 - 4/26/21 the City Council approved the implementation of updated water meter and reading technology including the software purchase. The technology upgrade is being implemented.
8. Comprehensive Plan Update
 - The final plan document was reviewed with the City Council at their 4/26/21 meeting.
 - Staff was directed to prepare a planning study for the reconstruction of 115th Street between CSAH 20 and CSAH 22 to facilitate corridor safety. It is anticipated that 115th Street will be about two-feet higher at Highland Parkway in the future. Initial project costs have been identified in the updated CIP. The scope and budget for the complete study are also begin developed.
 - 3/19/21 an initial meeting was held with Rice County to discuss the proposed 115th Street study and the County's long-range vision for the intersections at each end of the study area.
 - On 4/1/21 Rice County held a meeting at City Hall to discuss Decker Avenue and the potential for a County roadway corridor from TH 19 to CSAH 1 along this alignment.
 - 4/12/21 the City Council approved a resolution in support of Rice County preparing a planning Study of Decker Avenue from TH 19 to CSAH 1. Rice County expects to issue an RFP for this Study this summer; ***WSB requested an update from the County on 7/8/21.***
 - 5/27/21 City staff met to begin review of the land use north of CSAH 1, west of Depot Street, in anticipation of the County study.
9. CSAH 1/TH 3 Pedestrian Crossing
 - The scope includes a crossing of CSAH 1 connecting the existing trail near the PRV to the sidewalk on Stafford Road North; and pedestrian connections west along the south side of CSAH 1 to Cannon Road. WSB is developing more detailed alignments for these connections.
 - A portion of the \$121,900 capital expenditure budgeted for Sidewalk/Trail in 2021 is to further design of these crossing concepts.
 - ***6/25/21 WSB met on site with the owner of the Self Storage Dundas to review alignment options within the public right of way.***

10. ECRT Parking Lot

- An aggregate base parking area is proposed to be created at the ECRT on the NE corner of 1st Street N / Everett Street.

11. Forest Avenue

- Based on recent soil borings, extensive pavement repair has been included in the CIP, construction which will likely include pavement reclamation and a bituminous overlay.

12. Memorial Park

- A \$53,000 play structure proposal from Minnesota Wisconsin Playground was reviewed and approved by the City Council on 4/26/21; they have been notified to proceed. ***Public Works has removed the existing equipment and has nearly completed the site preparation; new equipment installation may occur as early as the week of 7/12/21.***
- \$106,000 capital expenditure budgeted in 2021 for trail and entrance work; ***for construction in late 2021 and/or early 2022.***
- Dukes are hosting the State Baseball Tournament in 2022.
- The City is considering eliminating a segment of sidewalk along the west side of 1st Street S. (south of Hamilton Street) to reconfigure the parking in this area and improve City maintenance access. This will be reviewed with the Duke's prior to implementation.
- 6/14/21 Mike Ludwig of the Dundas Dukes updated the City Council on the Duke's site activities and State Tournament preparations.

13. Mill Town Trail Head

- The final sculpture area site plan and specifications have been prepared; the sculpture committee will be convened to review the estimated costs and identify next steps.
- The sculpture will be re-set then cleaned in 2021.

14. Northfield Wastewater Treatment

- 4/26/21 Dundas received a letter from the City of Northfield regarding TSS loadings.
- Staff and WSB met on 5/7/21 to outline a systemwide approach to locate sources of ***any*** excess TSS in the City's system and is actively pursuing actions ***to bring TSS levels into compliance with the Northfield Wastewater Agreement.*** The approach is to implement whatever changes are necessary (pre-treatment, etc.) to adhere to the *current* Wastewater Agreement in the shortest amount of time possible.
- WSB is reviewing the Dundas TSS levels as compared to typical levels for municipal effluent. ***Initial findings indicate that although the City's loadings have surpassed the discharge limits set by the agreement, the per capita loadings show that the loadings of the City's wastewater has been consistent with typical municipal effluent parameters.***
- ***Two pre-treatment options are being considered and cost estimates prepared.***
- The City has received new portable effluent sampling equipment; ***this will be deployed by 7/9/21.***
- On 6/4/21 Northfield forwarded a copy of their recently completed Wastewater Treatment Plant facility study.
- Modifications to the west sanitary sewer lift station are also being considered.

15. Public Works Future Tasks

- Around the Stoneridge Hill, Millstone, and Schilling Park storm ponds; PW staff will install small permanent signs on every other lot line at the pond easement in 2021 at the drainage easement/City property limits for future reference. WSB will send a letter to residents

notifying them that WSB will be surveying around the pond. ***Signs have been ordered from EFA/Safety Signs.***

- The storm water code and fees are under review, including sump pump connection requirements. Staff met with Andrew Albers to discuss his concerns regarding the amount of City fees he pays and research he has done on fee options.
- A pavement management document is being prepared based on past actions and bituminous pavement conditions.
- The City received an inquiry regarding converting the Access Road west of TH 3 between CSAH 1 and Hester Street to a public street; a draft policy will be prepared by WSB for reviewing these types of requests.
- 5/28/21 initial 2022 budget estimates were submitted to the City Administrator.
- ***The draft CIP was reviewed, particularly the schedule for some projects.***
- 6/28/21 a proposed generator maintenance agreement from Cummins ***was approved*** by the City Council.
- ***7/8/21 Rice County has again*** been contacted about adding signage where the existing trail crosses CSAH 78 south of Mill Towns Road.
- ***Staff met with M&M Resources about potential future expansion.***

16. Regional Storm Water and Wetland

- This is the next storm water pond cleaning project; the focus for work at the regional pond will be clearing trees/brush and removing sediment. This work will be completed after coordinating with dog park users.
- A future study will be needed to quantify the treatment capacity and service area for the pond located between Hester Street and CSAH 1, east of 3rd Street North.

17. Tower Park Improvements

- 6/17/21 City Staff met to discuss a survey to solicit input from residents on park amenities. Planning of park improvements will begin in early fall after the survey is completed.

18. Two Year Warranty Inspections

Bond Expiration
Date

- | | |
|--|----------|
| • Cannon Road Improvements (Swenke Ims) | 8/12/21 |
| • Stafford Road North Improvements (Swenke Ims) | 8/12/21 |
| • 2019 Pond Maintenance (Swenke Ims) | 8/12/21 |
| • City Hall Site and Utility Improvements (Swenke Ims) | 10/12/22 |

19. UPRR/Hester Street sidewalk crossing

- Retaining wall relocation at 236 Railway Street to be completed under a separate contract in the future; coordination with UPRR and cost estimating will occur before then.

20. Water Supply Plan

- 6/28/21 a review of the City water conservation measures and restrictions ***was presented to the City Council.***
- Implementation deadlines to be checked quarterly.

21. Water Towers

- At the east tank, some interior repairs will be needed in 2021; Suez has been contacted. The west tank is also due for a routine inspection. Work to be completed in late fall when water demand is lower.

22. Wellhead Protection Plan (WHP)

- On 3/24/21 a WHPP implementation kickoff meeting was held with MRWA.

23. Xcel Energy Feeder Line R/W permit

- The restoration of pavement markings disturbed by this activity will be reviewed.

24. AT&T East tower antenna modification

- 8/24/20 AT&T's proposed 4th Amendment to the antenna lease was approved by the City Council.
- On 5/18/21 final construction drawing review comments were provided to AT&T.
- AT&T plans to begin antenna construction activity soon.
- **6/29/21 AT&T's site consultant was notified of the escrow amount needed for City construction administration and inspection costs.**

25. Bridgewater Heights PUD

- A final punch list for the project will be prepared this summer.

26. Bridgewater Heights Annexation Area Concept Plan

- 2/18/21 the Planning Commission considered the concept plan and provided feedback.
- 3/11/21 the City received a letter from the Bridgewater Township attorney objecting to the annexation; the City responded.

27. Cannon River Valley Estates

- Punch list to be prepared after all work has been completed.

28. Dundas Dome Site

- A request for an extension of the completion date for parking lot work was approved by the City Council on 10/12/20.
- On 4/20/21, the Building Official issued a Temporary Certificate of Occupancy extension to 6/15/21.

29. Johnson-Reiland Commercial

- 6/21/21 WSB contacted the applicant to clarify their schedule and intended work scope at 399 Stafford Road N.

30. Menards Gate Expansion

- 5/11/20 the City Council approved a Planned Unit Development Amendment, a Site and Building plan, and a lot line adjustment for this project.

31. Stoneridge Hills

- A potential developer has requested background information on prior approvals and infrastructure related to the area north of Bluestone Drive (Outlot C).
- 6/10/21 WSB met with the developer and their engineer to review preliminary drainage information and the drainage analysis needed to move forward with development.

32. Tower Heights

- Easement vacations, the Final Plat, and the Development Agreement were approved by the City Council at their 5/10/21 meeting.
- Site utility installation is underway.
- A plan update *has been* requested to account for the future raising of 115th Street.
- Staff is working on barricades and signage to prevent traffic from using Highland Parkway to access 115th Street during construction.

33. West Avenue Apartments

- 6/8/20 the City Council approved the Comprehensive Plan Amendment, Preliminary and Final Plat; the PUD Preliminary and Final Plan; Building and Site Plan; a Planned Unit Overlay District; and the Development Agreement.
- 8/4/20 the developer signed the Development Agreement and the storm water agreement.