

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 1 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

PRESENT: Mayor Doug Anderson; and Council members Phil Forseth, Scott Hoke, J. Kevin Anderson, and Tim McNeil

ABSENT: none

ALSO PRESENT: Administrator Samantha Orduno, City Clerk Sandra Borders, Assistant to Administrator Erin Stwora, Finance Director Richard Hill, Police Chief Richard Pietrzak, Public Works Superintendent Rick Hass, City Engineer Mark Hanson, and Administrative Assistant/minute-taker Debbie Maveus

CALL TO ORDER - 7:20 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

MOTION: Motion made by Forseth, seconded by K. Anderson, to approve the Agenda of the February 12, 2008 Regular Council Meeting.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil

Nays: none

MOTION DECLARED PASSED.

CONSENT AGENDA:

- A. Approval of Council Meeting minutes of January 22, 2008
- B. Approve Council Work Session minutes of January 22, 2008
- C. Payment of Claims – February 12, 2008
- D. Dayton Fire Department General Meeting minutes of December 20, 2007
- E. Resolution 08-2008: Resolution approving Champlin Park Youth Hockey charitable gambling at Daytona Country Club
- F. Approval of 1-day Liquor License for the Dayton Lions Grand Dinner at Dehn's Country Manor
- G. Resolution #09-2008: Support of Rush Creek Regional Trail Master Plan
S.R.#19-2008
- H. Approval of 2008 Pay Equity Report
S.R.#20-2008

MOTION: Motion made by McNeil, seconded by Forseth, to approve the Consent Agenda of February 12, 2008.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil

Nays: none

MOTION DECLARED PASSED.

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 2 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

OPEN FORUM

No one was present for Open Forum.

COUNCIL BUSINESS

**ITEM I – RESOLUTION SETTING THE WATER/SEWER RATES FOR 2008
S.R.#21-2008**

Administrator Orduno's staff report reviewed the current City provisions for water and sewer services in the City of Dayton. In Spring of 2007, the City began the NE and SW Dayton Improvement Projects which will provide water and sewer connections to over 600 properties by the end of 2008. The installation of those water and sewer improvements, as well as on-going concerns over the General Fund subsidy of the Historic Village utility costs, prompted the City to engage PCE in June 2007 to conduct a Comprehensive Water/Sewer Rate Study to determine a rate structure to address issues of on-going operations and maintenance of the existing and expanded system, as well as future expansion projects. It was relayed that if the 2008 water/sewer rates are set at this meeting, the Water and Sewer Budgets will be presented for review and approval at the next Council meeting.

The Council had a Work Session prior to the meeting, where Naeem Qureshi of Progressive Consulting Engineers, Inc. (PCE), presented the final Utility Rate Study. After discussion and concerns from the Council, and their desire for more information, it was decided the setting of rates was not appropriate yet.

MOTION: Motion made by Forseth, seconded by McNeil to **TABLE** the adoption of the Water and Sewer Utility Rates for 2008.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil

Nays: none

MOTION DECLARED PASSED.

**ITEM J – ORDINANCE #2008-06: LOW IMPACT DEVELOPMENT (LID) ORDINANCE &
ORDINANCE #2008-07: SUMMARY FOR L.I.D. ORDINANCE S.R.#22-2008**

Assistant to the Administrator Stwora reviewed that Staff was asked to prepare a Low Impact Development (LID) Ordinance, and Northwest Associated Consultants and Bonestroo assisted. At their December and January meetings, the Planning Commission discussed the various options for a LID Ordinance and recommended focus on site design and stormwater management, using performance standards regarding volume control. The ordinance complies with state standards and the newly approved Surface Water Management Plan (SWMP). The Commission recommended approval of the ordinance with their additions.

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 3 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

Council member Hoke had questions about the top of page 2, 2a and 2b, regarding runoff and downstream facility – a regional facility, which Engineer Hanson and Assistant to the Administrator Stwora clarified. It was explained that the goal is to keep runoff on site with landlocked ponds and within the City, not bringing it to the river, as well as water quality.

MOTION: Motion made by Forseth, seconded by K. Anderson, to waive the reading and adopt Ordinance #2008-06, as presented, and Summary for publication Ordinance #2008-07, amending the Dayton Subdivision Ordinance regarding Low Impact Development (LID) requirements.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil
MOTION DECLARED PASSED.

Nays: none

**ITEM K – PRESENTATION OF FEASIBILITY REPORT FOR HEMLOCK LANE STREET
AND UTILITY IMPROVEMENTS & SET PUBLIC HEARING S.R.#23-2008**

Engineer Hanson handed out copies of his PowerPoint presentation, dated February 12, 2008, and reviewed that the Draft Hemlock Lane Street and Utility Improvements Feasibility Report, is the result of conceptual project costs, assessments, figures and survey results that were presented at the September 11, 2007 Council Meeting. At that meeting, Staff was directed to conduct a survey of all 17 properties included in the project and the results were reviewed November 13th – 10 of the 17 supported the project. Based on those results, Staff was authorized to prepare the feasibility report.

The estimated Project Cost is \$824,700 and the estimated assessment per lot (all lots are greater than 2.0 acres) is calculated similar to the NE Dayton Area 1-6 Project and is \$43,520/lot. The estimated project deficit is \$131,186 due in part to the 50% street credit for existing residential street reconstruction, consistent with past projects. The project would be assessed to the benefiting properties and financed by the City through bonding, if it moves forward.

Engineer Hanson explained the next step, and informed Staff is recommending the Council review the Feasibility Report for Hemlock Lane and provide comment, and if desired, advance the project and schedule a Public Hearing for March 11th. The option and benefit of holding an informational meeting with the property owners before the Public Hearing, was mentioned.

The Council got clarification on the Jace Reed's no response that was because they already have requested and received sewer and water, and is in the process for development, but is included in the street portion, for this. It was confirmed that the numbers were based on figures on the winning bids. The Council then discussed whether or not the 1.0 LE credit for utility should apply, noting the cost, fairness, and that the project was not able to pay for itself; development potential was mentioned. It was relayed that 10/11 of the 17 have requested this project, unlike the NE Dayton residents where it was more necessary, because of issues, than desired. It was suggested further LE credit take place after the Public Hearing.

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 4 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

For the record, Administrator Orduno relayed that these *preliminary* figures did not include possible appeals/legal costs, but would be finalized if the project moved forward. Engineer Hanson explained the difference in costs because of the fewer lots and larger lots, causing a higher assessment cost for this project, and informed that the surplus goes to the NE Dayton trunk costs, bringing the deficit down to \$131,186. He reviewed a possible Schedule, including Public Hearing March 11th, Assessment Hearing/Award Contract August, Substantial Completion end of October 2008, First Payment due with taxes spring 2009, and Final Completion June 30, 2009.

Administrator Orduno asked about future development figured into the equation, requesting analysis of that proposal. A handful of residents have mentioned to Staff about subdividing. It was noted each lot could be subdivided. Staff reported that the cost is \$6,000 so far, which would be from General Fund, if the project does not move forward. Engineer Hanson explained how the project would flow with the NE Dayton Project.

MOTION: Motion made by McNeil, seconded by Forseth, to move forward with the project, as presented, and authorize a Public Hearing for March 11, 2008.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil
MOTION DECLARED PASSED.

Nays: none

ITEM L – AGREEMENT WITH KEVIN FAULDS FOR GOOSE LAKE ROAD S.R.#24-2008

Administrator Orduno reviewed that Hennepin County, in conjunction with the City of Champlin and Dayton, are making improvements to Goose Lake Road, including grading, aggregate base, bituminous paving, storm sewer, concrete curb and gutter, bituminous path, signing, and striping. The Council approved the Final Plan/Cooperative Agreement with Hennepin County May 22, 2007.

Kevin and Ann Faulds are the owners of property located along Goose Lake Road, and as part of the project the road is to be realigned, requiring easements from the property owners. The proposed agreement provides for the granting of the necessary easements for the realignment of Goose Lake Road; a vacation process for excess property; the City agreeing to contribute 50% toward the costs of landscaping the vacation area, not to exceed \$1,000; the property owners accepting an assessment of \$17,000; and an agreement that the SAC and WAC charges governed by the Cities of Dayton and Champlin Joint Powers Agreement.

Hennepin County's construction bids for the project have been received and they expect to be awarded the week of March 3rd, with construction starting shortly after. The apparent low bidder is S. R. Weidema at \$1,684,692 compared to the engineer's estimate of \$2,197,000.

MOTION: Motion made by Forseth, seconded by McNeil, to waive the reading and approve the agreement with Kevin and Ann Faulds, as presented, for the granting of certain easements, vacation

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 5 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

of Goose Lake Road, assessment for certain public improvements, and sewer area connection and water area connection charges.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil
MOTION DECLARED PASSED.

Nays: none

ITEM M – REVIEW WATER TOWER PAINTING FOR N.E. DAYTON AREA 1-6 PROJECT
S.R.#25-2008

Engineer Hanson reviewed that the Council at their April 24, 2007 meeting awarded the NE Dayton Area 1-6 Contract 5, Water Tower 500,000 Gallon Project to Land Mark Structures, Inc. On January 8th the Council received water tower painting options, and now 6 different options were before them which were reviewed - three include the word “Dayton” alongside its new logo, based on different colors; and three include the word “Dayton” with different stripes and colors. All of these options would have some additional costs, Hanson relayed. The option bid in the contract is the word “Dayton” in two locations on the tower with no logo and/or stripes.

The remaining work is to paint the tower and put it in service. The contractor is scheduled to begin the work in the spring, so direction is needed as to how to complete the water tower painting. It was noted that concrete base would not be painted. Staff asked the Council for their direction. They had differing preferences, but the majority agreed to “DAYTON” without the stripes, in hunter green, and an off-white and beige background options for the top of the tower or other similar option, to bring to the next meeting for approval. There was *CONSENSUS* by the Council.

ITEM N – APPROVAL OF RECRUITMENT FOR FINANCE CLERK **S.R.#26-2008**

Administrator Orduno reported that the Finance Clerk has accepted a position with another City after 5 months, giving her resignation Monday, January 28th, with her last day of work last Friday, February 8th. She relayed that, after consultation with the Mayor and with the purpose of commencing the recruitment process as soon as possible, an ad was placed on the LMC web page the week of January 28, 2008. She requested approval with the recruitment process.

Administrator Orduno relayed her concerns of the range she included, and mentioned that only one applicant meets the minimum requirements, so far. She suggested changing the listing to the correct new range of \$41,528.96 - \$52,547.38 that was approved by Springsted, and re-advertizing.

MOTION: Motion made by Forseth, seconded by K. Anderson, to approve the continuance of the recruitment process for the Finance Clerk, but at the new range presented.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil
MOTION DECLARED PASSED.

Nays: none

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 6 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

REPORT OF OFFICERS

MAYOR UPDATES

Mayor Anderson reported on the *Anoka Chamber State of the Cities* he had attended that day hearing updates on more of the neighboring cities in the Anoka area. Administrator Orduno stated she could try to get the PowerPoint presentations from the other cities, for the Council's information. The Council again requested the City of Dayton State of the City be put on the City's Website.

COUNCIL UPDATES

Council member McNeil reported on the first *Heritage Day meeting* earlier in the evening, requesting any information/items could be given to him. He informed the next meeting would be the same time – 5:30 p.m., before the first Council Meeting next month. He relayed that fireworks may not be done this year. He asked about candidates for the *open Park Commission seat*, and Staff relayed there was one. They suggested an interview be done. He thanked Staff for the good experience and well run *Goal Setting Meeting*, as well.

Council member Forseth reported that the *Dayton Lions were holding their Grand Dinner* February 21st, and a few tickets were remaining.

Council member Anderson mentioned the induction lights discussed at the Goal Setting Meeting, and he suggested a *Joint Meeting with Public Utilities of Anoka and Public Works Superintendent Rick Hass*, to listen to each others questions. Council member Forseth wondered if Council would want to hear the information, too, but it was suggested Council member Anderson work with Staff first, and have the Council involved later in the process. It was suggested, the meeting be posted, in case other Council members would be interested in attending.

Council member Hoke thanked Finance Director Richard Hill for the *monthly report created by the new financial software*, suggesting it be given the Council on a regular basis.

CITY ADMINISTRATOR

Administrator Orduno reported that the City of Rogers/Hassan would like to schedule the *Joint Elected Officials Meeting to talk about the Sub-Area Transportation Study*. It was noted that it is a Planning Commission meeting night - Thursday, March 6th, but it worked for the other cities. It was mentioned that at that meeting, the officials could set a public Open House. She confirmed that the SRF information was for the Council's information only.

**COUNCIL MEETING
FEBRUARY 12, 2008
7:00 P.M.
PAGE 7 OF 7**

**CITY OF DAYTON, MINNESOTA
12260 S. DIAMOND LAKE ROAD
HENNEPIN/WRIGHT COUNTIES**

ADJOURNMENT

MOTION: Motion made by Hoke, seconded by Forseth, to adjourn to a Closed Session for the purpose of considering strategy for Labor Negotiations.

Ayes: D. Anderson, Forseth, Hoke, K. Anderson, McNeil

Nays: none

MOTION DECLARED PASSED.

APPROVED: February 26, 2008 ATTEST: _____