
Minutes of the regular meeting of the City Council of Dilworth, Clay County, Minnesota, held April 12, 2021, at 6:00 o'clock p.m., at City Hall.

Pursuant to the Emergency Declaration signed by Mayor Olson on March 18, 2020 and Resolution 20-12, this meeting was closed to the public due to COVID-19. Councilmembers met at City Hall in the Council Chambers. Members of the public and attendees participated via Zoom (telephonically and/or virtually) in accordance with Minnesota Statutes 13D.021.

PRESENT: Mayor Olson, Councilmembers Nash, Aasness, and Peterson

OTHERS: City Administrator Peyton Mastera, Finance Officer Sherri Farwell, Maintenance Supervisor Jeff Berg, City Engineer Dan Hanson, Police Chief Ty Sharpe, Fire Chief Mark Empting, Deputy Clerk Becky Tigue, Katie Bertsch, Andreas Haffar, Ted Goltzman, Brett Waldera, Jim Englund, Tanya Wallace, Dusty Jostes, Shelby True, Mitchell Fischer, Amber's iPhone, and Administrative Assistant Jessica Malvin.

1. CALL TO ORDER

Mayor Olson called the meeting to order at 6:00 p.m. and everyone took part in the Pledge of Allegiance.

2. ROLL CALL

3. AGENDA APPROVAL

MOTION: by Nash, seconded by Jesme, to approve the April 12, 2021. Motion carried by all members present voting aye.

4. CONSENT AGENDA APPROVAL

MOTION: by Aasness, seconded by Nash, to approve all items on the consent agenda. Motion carried by all members present voting aye.

CONSENT AGENDA ITEMS

MOTION: by Aasness, seconded by Nash, to approve minutes from the March 22, 2021 City Council meeting.

MOTION: by Aasness, seconded by Nash, to receive and file resignation of Finance Officer Sherri Farwell, effective June 13, 2021.

MOTION: by Aasness, seconded by Nash, to authorize hire of Sarah Dahl as Pool Director at the \$13.50/hour (\$14.50/hour for lessons).

- MOTION: by Aasness, seconded by Nash, to authorize hire of Annie Waale as Assistant Pool Director at \$12.50/hour (\$13.50/hour for lessons).
- MOTION: by Aasness, seconded by Nash, to approve Community Service Officer job description.
- MOTION: by Aasness, seconded by Nash, to receive and file January – March 2021 Budget-to-Actual report.
- MOTION: by Aasness, seconded by Nash, to approve Tobacco License application of Walmart, Inc., to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to approve Tobacco License application of Casey's General Store #3362, to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to approve Tobacco License application of Casey's General Store #2207, to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to approve Mechanical License application of Accel Mechanical, LLC, to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to approve Mechanical License application of Northern Plains Mechanical, to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to approve Mechanical License application of Precision Plumbing Electric Heating & Cooling, to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to approve contract with A.S.P. of Moorhead to provide security services for the Dilworth Community Center.
- MOTION: by Aasness, seconded by Nash, to approve Mechanical/Heating License application of Johnson Sheet Metal, to expire April 11, 2022.
- MOTION: by Aasness, seconded by Nash, to receive and file March Incident Analysis Report.
- MOTION: by Aasness, seconded by Nash, to execute and recognize proclamation declaring April 2021 as Organ Donation Awareness Month.
- MOTION: by Aasness, seconded by Nash, to receive and file March 2021 Utility report.

END OF CONSENT AGENDA

5. CITIZEN'S CONCERNS

None received.

6. CONSIDERATION, MULTI-UNIT PLANNED UNIT DEVELOPMENT AT 1254 3RD AVENUE NORTHWEST – LOT 3, BLOCK 2, EASTEN ADDITION – PARCEL ID 52.110.0095 – PROPERTY OWNER(S): HJM A MN PARTNERSHIP – APPLICANT: COMMONWEALTH DEVELOPMENT CORPORATION – 3RD AVENUE FLATS (TED GOLTZMAN WITH COMMONWEALTH DEVELOPMENT CORPORATION PRESENTING)

On April 7th the Planning Commission held a public hearing to review a request for a multi-unit planned unit development at 1254 3rd Avenue Northwest request submitted by Commonwealth Development Corporation. There was no opposition to the application and the Planning Commission forwarded a recommendation on to the City Council to approve the application contingent upon a sidewalk be installed from the front of the building to the shared use path that runs along the north of the complex and at least one additional exit is added to the front (north side) of the building. Ted Goltzman with Commonwealth Development noted this project would not begin until the Summer 2021.

MOTION: by Peterson, seconded by Jesme, to approve the Planned Unit Development application for Commonwealth Development Corporation for an apartment complex at 1254 3rd Avenue NW – Lot 3, Block 2, Easten Addition with the condition a sidewalk be installed from the front of the building to the shared use path along the north of the complex and at least one additional exit is added to the north side of the building. This PUD project satisfies the findings stipulated in 4.100 of the Dilworth Zoning Ordinance. Any alteration in the structure or site development will require approval by the Planning Commission and/or City Council. Motion carried by all members present voting aye.

7. CONSIDERATION, CONDITIONAL USE PERMIT APPLICATION FOR A 300 SQUARE FOOT ELECTRONIC MESSAGE BILLBOARD SIGN, APPROXIMATELY 200 FEET EAST OF THE NORTHEAST CORNER OF HWY 10 AND 34TH STREET; LOT 2, BLOCK 2, EASTEN ADDITION – PARCEL ID 52.110.0081 – PROPERTY OWNER(S): FARMERS UNION OIL COMPANY OF MOORHEAD – APPLICANT(S): NEWMAN SIGNS (BRETT WALDERA WITH NEWMAN SIGNS PRESENTING)

On April 5th the Planning Commission held a public hearing to review an application for a 300 square foot electronic billboard sign at the northeast corner of HWY 10 and 34th Street; lot 2, block 2, Easten Addition. There was no opposition to the application and the Planning Commission forwarded a recommendation on to the City Council to approve the application contingent upon the billboard sign out in front of the Community Center is removed and it adhere to all other regulations.

MOTION: by Aasness, seconded by Peterson, to approve the Conditional Use Permit application of Newman Signs to install a 300 square foot electronic billboard sign approximately 200 feet east of the northeast intersection of HWY 10 and 34th Street on lot 2, block 2, Easten Addition (parcel ID 52.110.0081) with the conditions the billboard sign located along HWY 10 on parcel ID 52.900.0040 is removed and that Newman Signs satisfy all City and State regulations (eg. permits, building code). This sign will meet all of the requirements stipulated in Chapter 26.040 of

the Dilworth Zoning Ordinance. Any alteration in the structure size or placement will require approval by the Planning Commission and/or City Council. Motion carried by all members present voting aye.

8. CONSIDERATION, AUTHORIZE HIRE OF JAIME OLSON AS A FULL TIME POLICE OFFICER

The Police Officer hiring committee is recommending Officer Jaime Olson be hired as a full time police officer. In total, 18 applicants applied for the Police Officer position, four were interviewed, Officer Olson stood out the most during the application/interview process. Officer Olson is presently a part time police officer going through the FTO process.

The committee is recommending Officer Olson be hired at Step 1 with an official start date of April 19th.

MOTION: by Nash, seconded by Jesme, to hire Jaime Olson for the Police Officer position to begin at Step 1, contingent upon Officer Olson meeting all city requirements. Motion carried by all members present voting aye.

9. RESOLUTION 21-13, ESTABLISHMENT OF AN ESCROW ACCOUNT FOR INSURANCE SETTLEMENTS FOR DAMAGE CAUSED BY FIRES TO STRUCTURES WITHIN THE CITY LIMITS

City Attorney Katie Bertsch presented on Resolution 21-13. Resolution 21-13, would require 25% of the insurance settlements from house fires that are damaged more than 49%, to go in to an escrow held by the city. The funds can be used by the mortgagee if the insured property is in default, the insured upon reasonable proof that the property is to be repaired, replaced, or removed, or by the City if the City has to preform the repairs, replacement, or removal.

MOTION: by Nash, No second, to approve Resolution 21-13, Establishment of an Escrow Account for Insurance Settlements for Damage Caused by Fires to Structures Within The City Limits. Motioned failed due to lack of second.

10. ORDINANCE 21-03, AMENDING CHAPTER § 90 (ANIMALS) OF THE DILWORTH CODE OF ORDINANCES TO ESTABLISH A MICROCHIPPING PROGRAM AND LIMIT THE NUMBER OF CATS AND DOGS PER HOUSEHOLD

Ordinance 21-03 will accomplish the following:

- Put into ordinance form the Police Department policy of not responding to residents that bait and capture animals

- Establish a "Microchip License" in lieu of the traditional "Tag License" for dogs and cats. People will still be able to apply for the traditional tag license, but a microchip license would be a one-time application/fee. Currently, if a lost dog or cat is found by the Police Department, it is an arduous process turning it over to the FM Animal Hospital, owners then must collect the animal,

and admin time is involved ensuring it has proper licensing and vaccination records. If a pet is microchipped, it would allow for an officer to collect the pet and return it to its owner, which more often than not is in close proximity to where the pet is found. Residents with a microchip license will not be annually required to provide vaccination records.

- Set a maximum of four or more dogs/cats (or combination thereof). The City of Dilworth frequently gets this question from residents if there is a maximum amount of dogs and cats they (or their neighbors) can have. It does provide for an exception for sheltered and/or abandoned animals if owners apply for a permit through the PD. This section aligns with what the City of Moorhead has in its ordinance.

MOTION: by Peterson, seconded by Aasness, to approve Ordinance 21-03, Amending Chapter § 90 (Animals) of the Dilworth Code of Ordinances with the removal of setting a maximum number of animals. Motion carried by all members present voting aye.

11. ORDINANCE 21-04, AMENDING CHAPTER § 10.20 (GENERAL PROVISIONS - ENFORCEMENT) OF THE DILWORTH CODE OF ORDINANCES TO ALLOW FOR THE COMMUNITY SERVICE OFFICER TO SERVE IN AN ENFORCEMENT CAPACITY

With the establishment of the Community Service Officer position, a reference needs to be made in the city ordinance granting limited enforcement responsibilities to this position.

(F) Community service officers have the same powers of law enforcement officers in the city to issue a citation in lieu of arrest for violations of the City Code. Nothing in this section is to be construed as giving community service officers any powers of law enforcement officers other than the authority set forth in this section. For purposes of these ordinances, a COMMUNITY SERVICE OFFICER means an employee of the city designated by the Council and assigned to the Police Department, exercising limited law enforcement, code enforcement and related duties under the supervision of the Chief of Police.

MOTION: by Nash, seconded by Jesme, to approve Ordinance 21-04, Amending Chapter § 10.20 (General Provisions - Enforcement) of the Dilworth Code of Ordinances to Allow for the Community Service Officer to Serve in an Enforcement Capacity. Motion carried by all members present voting aye.

12. UPDATE, COVID-19

Vaccine clinics – Walk-ins now available for anyone over 18 at Hjemkomst Center Tuesday – Friday.

Community Center / Depot – Opening May1st. Allowing for events at 50% capacity and a maximum of six people at a table. Patrons are still to be adhering to State guidelines.

Loco Daze – Still planning as normal, but mindful of State guidelines.

13. COUNCIL MEMBER’S CONCERNS AND COMMITTEE UPDATES

Peterson Loco Daze is moving forward with celebration plans using last year’s agenda, pending on Governor’s regulations. Fire house Friday will be back and a Zoom BINGO.

Park Board will hear from an engineering firm on the next steps for a regional park design.

Olson Thank you to Sherri for your 20 years of service.

Thank you staff for having everything ready at the County meeting and the Planning Commission.

Sharpe The permit for Loco Daze has been submitted, we are just waiting to hear back if it has been approved.

CSO position has been posted, once trained in then we will work on getting a part-time officer.

Jesme Thank you Sherri for all your years of service, you really brought a high level of standards to this position.

Mastera This week is severe weather awareness week, statewide tornado drills will be held on Thursday.

We are in need of lifeguards this summer, if you know of anyone, send them to City Hall.


14. PAYMENT OF THE BILLS

MOTION: by Aasness, seconded by Nash, to pay the claims and bills dated April 12, 2021. Motion carried by all members present voting aye.

15. ADJOURNMENT

The meeting was adjourned at 7:44 p.m.

Mayor: 
Chad Olson

ATTEST: 
L. Peyton Mastera, City Administrator

Approved by the Dilworth City Council on April 26, 2021