

Minutes of the regular meeting of the City Council of Dilworth, Clay County, Minnesota, held July 9, 2018, at 6:00 o'clock p.m., at City Hall Council Chambers.

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

OTHERS: City Administrator Peyton Mastera, Police Chief Ty Sharpe, Fire Chief Mark Empting, Finance Officer Sherri Farwell, City Planner Stan Thurlow, City Engineer Dan Hanson, Shelly Eldridge via phone, 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. AGENDA APPROVAL

MOTION: by Nash, seconded by Jesme, to approve the July 9, 2018 meeting agenda. Motion carried by all members present voting aye.

3. CONSENT AGENDA APPROVAL

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

CONSENT AGENDA ITEMS

MOTION: by Aasness, seconded by Jesme, to approve minutes from June 25, 2018 City Council meeting.

MOTION: by Aasness, seconded by Jesme, to receive and file Lion's Club monthly tax return statement for May 2018.

MOTION: by Aasness, seconded by Jesme, to receive and file June utility report.

MOTION: by Aasness, seconded by Jesme, to approve closure of 6th Street Northeast from 6th Avenue Northeast for a block party on July 28, 2018.

MOTION: by Aasness, seconded by Jesme, to approve contract with Terracon to provide soil testing for the 14th Street Northeast and HWY 10 project.

MOTION: by Aasness, seconded by Jesme, to receive and file Dilworth Fire Department business meeting agenda from June 25, 2018.

MOTION: by Aasness, seconded by Jesme, to receive and file Dilworth Fire Department business meeting minutes from June 25, 2018.

- MOTION: by Aasness, seconded by Jesme, to receive and file Dilworth Loco Daze meeting agenda from June 25, 2018.
- MOTION: by Aasness, seconded by Jesme, to approve Dilworth Loco Daze meeting minutes from June 12, 2018.
- MOTION: by Aasness, seconded by Jesme, to receive and file Incident Analysis Report from June 2018.
- MOTION: by Aasness, seconded by Jesme, to receive and file International Union of Operating Engineers Local 49 (i.e. 49ers) "Desire to Negotiate" letter.
- MOTION: by Aasness, seconded by Jesme, to receive and file MEMO from the Dilworth City Council (submitted by City Administrator) to the Operating Engineers Local 49 (i.e. 49ers) "Desire to Negotiate" letter.
- MOTION: by Aasness, seconded by Jesme, to approve alley closure on the east side of 5 1st Avenue SW on July 19, 2018 from 3:00 p.m. to 8:00 p.m. for a private event (traffic can still exit and turn north onto HWY 10).
- MOTION: by Aasness, seconded by Jesme, to approve Mechanical/Heating License application of Modern Air, LLC, to expire July 8, 2019.

END OF CONSENT AGENDA

#### 4. CITIZEN'S CONCERNS

None received.

#### 5. REPORT, FINANCING OF EAST VIEW 4TH ADDITION COMMERCIAL ADDITION; BOND PRESALE REPORT (SHELLY ELDRIDGE WITH EHLERS PRESENTING)

Shelly Eldridge with Ehlers presented a finance report for the financing of East View 4<sup>th</sup> addition commercial addition. The Bond will be a taxable issue, with 100% being assessed to the developer. A proposed 15 year term, with the first year being capitalized interest. Bids will take place on August 13, 2018.

#### 6. RESOLUTION 18-42, CALL FOR THE SALE OF \$1,850,000 GENERAL OBLIGATION TAXABLE IMPROVEMENT BONDS, SERIES 2018C

- MOTION: by Aasness, seconded by Nash, to approve Resolution 18-42, Call for the Sale of \$1,850,000 General Obligation Taxable Improvement Bonds, Series 2018C. Motion carried by all members present voting aye.

7. CONSIDERATION, CHANGE ORDER #1 FOR THE KEYSTONE 1ST ADDITION, 14TH STREET NORTHEAST, AND 4TH AVENUE NORTHEAST PROJECT

Change order #1 is to do the East View 4th Addition commercial improvements south of 4th Avenue Northeast. This change order will allow for the contractor to use "B" oil in the asphalt as opposed to what was called out in the bid documents ("C" oil) and stay within the 25 percent change order.

MOTION: by Jesme, seconded by Aasness, to approve Change Order #1 for the Keystone 1st Addition, 14th Street Northeast, and 4th Avenue Northeast Project. Motion carried by all members present voting aye.

8. CONSIDERATION, PAY REQUEST #3 FOR THE KEYSTONE 1ST ADDITION, 14TH STREET NORTHEAST, AND 4TH AVENUE NORTHEAST PROJECT

Pay request #3 for the work completed on the Keystone 1<sup>st</sup> Addition, 14<sup>th</sup> Street Northeast, and 4<sup>th</sup> Avenue Northeast project in the amount of \$916,812.70

MOTION: by Nash, seconded by Aasness, to approve Pay Request #3 for the Keystone 1st Addition, 14th Street Northeast, and 4th Avenue Northeast Project in the amount of \$916,812.70. Motion carried by all members present voting aye.

9. CONSIDERATION, CHANGE ORDER #2 FOR THE KEYSTONE AND ORCHARD LIFT STATIONS AND FORCEMAIN TO MOORHEAD PROJECT

Change Order #2 is to add \$145,800.50 of sanitary sewer work from the East View 4th Addition Commercial project into this contract to satisfy the statutory change order requirements in the Keystone 1st Addition, 14th Street Northeast, and 4th Avenue Northeast project.

MOTION: by Aasness, seconded by Jesme, to approve Change Order #2 for the Keystone and Orchard Lift Stations and Forcemain to Moorhead Project. Motion carried by all members present voting aye.

10. CONSIDERATION, APPROVE PAY REQUEST TO SOPP CONTROLS FOR CONTROL PANELS AT THE STORMWATER LIFT STATION FOR THE EAST VIEW 4TH ADDITION COMMERCIAL PROJECT

MOTION: by Jesme, seconded by Aasness, to approve the pay request from Sopp Controls for the control paneling at East View 4th Addition Commercial stormwater lift station. Motion carried by all members present voting aye.

11. CONSIDERATION, PAY REQUEST #2 FOR THE SUMMERWOOD 3RD ADDITION PROJECT

Pay request #2 for the work completed on the Summerwood 3<sup>rd</sup> Addition project in the amount of \$916,812.70

MOTION: by Nash, seconded by Aasness, to approve Pay Request #2 for the Summerwood 3rd Addition project in the amount of \$144,129.62. Motion carried by all members present voting aye.

12. DISCUSSION, 12TH STREET AND HIGHWAY 10 IMPROVEMENT PROJECT SOLICITATION FOR ADDITIONAL STATE AID FUNDS

City of Dilworth was granted a permit to construct the 14th Street Northeast intersection, contingent upon modifying the 12th Street Northeast intersection to a “right-in/right-out” and installation of a ¾ access within the median area, directing traffic into the BNSF property.

On April 19, 2018 MNDOT, formally notified the City of Dilworth it would cover 100% of the construction costs, contingent upon it being in MNDOT’s “budget.” An estimate for the 12th Street intersection improvements were to be submitted to MNDOT by the end of May, which the City of Dilworth provided in the amount of \$218,000.

On June 25, 2018, Nathan Gannon, State Aid Engineer with MNDOT, informed the city that the State is only be able to provide \$100,000 towards this project, setting up an approximate \$118,000 shortfall.

Requests were submitted to solicit funds through the State Aid program for 2019. A letter requesting an extension for the 14th Street permit was also submitted to allow for the City to properly budget for this improvement, if it comes to that.

13. ORDINANCE 18-07, AN ORDINANCE PROVIDING FOR THE SECURING OF VACANT BUILDINGS

Ordinance 18-07 Securing Vacant Buildings, allows for city staff to secure a building by any means necessary, once the property has been deemed unsafe and vacant. Via resolution, notice is served to the property owner to come in compliance within six (6) days, also giving the property owner the right to appeal the decision.

MOTION: by Aasness, seconded by Nash, to approve Ordinance 18-07, An Ordinance Providing for the Securing of Vacant Buildings. Motion carried by all members present voting aye.

14. CONSIDERATION, FINANCIAL ROAD MAINTENANCE AGREEMENT BETWEEN THE CITY OF DILWORTH AND MOORHEAD TOWNSHIP

Moorhead Township is requesting that the City of Dilworth take on a 75% cost share. Presently the City of Dilworth pays 100% of the maintenance costs for 60th Street North and 100% of the maintenance costs of half (½ mile) of the portion of 15th Avenue North that Moorhead Township is responsible for (one mile total).

MOTION: by Aasness, seconded by Jesme, to approve the financial road maintenance agreement between the City of Dilworth and Moorhead Township. Motion carried by all members present voting aye.

15. COUNCIL MEMBER’S CONCERNS AND COMMITTEE UPDATES

Nash Can the City look into adding a short walking path from 6<sup>th</sup> Avenue, crossing over to 7<sup>th</sup> Street NE.

Thurlow Will be cutting down to 30 hours a month.

Olson What can the City provide that we currently do not? What is it that brings people to Dilworth? What else can we do to make people want to come to Dilworth?

13. PAYMENT OF THE BILLS

MOTION: by Aasness, seconded by Nash, to pay the claims and bills including the addendum dated July 9, 2018. Motion carried by all members present voting aye.

14. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

Mayor:   
Chad Olson

ATTEST:   
L. Peyton Mastera, City Administrator

Approved by the Dilworth City Council on July 23, 2018