

Minutes of the regular meeting of the City Council of Dilworth, Clay County, Minnesota, held July 26, 2021, at 6:00 o'clock p.m., at the Dilworth Community Center.

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

OTHERS: City Administrator Peyton Mastera, Finance Officer Jerry Griggs, Maintenance Supervisor Jeff Berg, City Engineer Dan Hanson, Police Chief Ty Sharpe, Fire Chief Mark Empting, Administrative Assistant Jessica Malvin, Richard Hayes, David Overbo, Brenda Sowl, David Steichen, Lyle Korynta, Matthew Engbrecht, Brian Walz, Loren Lee, Todd Heiberg, Gail Bratholt, Mike Rehder, Scott Payne, Patrick Bettels, Amber Sundstrom, Brian Lund, Cheryl Ehrichs, Kevin Ehrichs, Suzie Wilson, Darci Peterson, Marvin Hedlund, Tyia Patnaude, Bruce Larson, Ken Highness, Frank Gross, Larry Patnaude, Joel Haraldson, Andrew Martin, Lori Irwin, Roger Anderson, Darin Sundstrom, Rick Halvorson, David R. Cummings, Ken Parke, Doug Paul, and Administrative Assistant Angela Miller.

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 July 26, 2021. Motion carried by all members present voting aye.

4. CONSENT AGENDA APPROVAL

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

CONSENT AGENDA ITEMS

MOTION: by Aasness, seconded by Peterson, to approve minutes from the July 12, 2021 City Council meeting.

MOTION: by Aasness, seconded by Peterson, to authorize training request for Jerry Griggs to attend the Minnesota Government Finance Officers Association conference in Alexandria, MN from September 28, 2021 – October 1, 2021.

MOTION: by Aasness, seconded by Peterson, to receive and file minutes from the July 7, 2021 Planning Commission meeting.

MOTION: by Aasness, seconded by Peterson, to receive and file the agenda for the July 19, 2021 Fire Department Business Meeting.

MOTION: by Aasness, seconded by Peterson, to receive and file the minutes from the July 19, 2021 Fire Department Business Meeting.

MOTION: by Aasness, seconded by Peterson, to approve training request for Chief Sharpe to attend Pepper Ball instructor training in Elk River, MN August 16-17, 2021.

MOTION: by Aasness, seconded by Peterson, to approve contract with Granicus for agenda packet software.

MOTION: by Aasness, seconded by Peterson, to approve 2AM liquor license application of Silver Spike Bar & Grill.

END OF CONSENT AGENDA

#### 5. CITIZEN'S CONCERNS

None received.

#### 6. IMPROVEMENT HEARING, 7TH STREET NORTHEAST RECONSTRUCTION PROJECT

Public hearing opened at 6:02 p.m.

The 7<sup>th</sup> Street Northeast Improvement Project will reconstruct 7<sup>th</sup> Street NE from Highway 10 to 15<sup>th</sup> Avenue North. The project also includes curb and gutter, filling in of the ditch, and the extension of the shared use path. The construction of this project is anticipated to take place from May 2022 to August 2022.

The total estimated cost of the project is \$5,515,000 with the City paying \$2,962,000 and the remaining \$2,553,000 to be assessed per Dilworth's assessment policy.

The projected assessment per equivalent dwelling unit is \$2,737 with front footage lots being assessed an additional \$68.25 per linear foot. The first special assessment payment will be due no earlier than May 2023 and will be spread over 20 years.

Ken Highness asked for clarification on special assessments policy for county roads and city roads. He also had concerns about the lack of storm sewer in his neighborhood and would like to see a stop light at the intersection of 7<sup>th</sup> Street NE and HWY 10. Hanson explained that the County does not special assess for road repairs and that MNDOT has not approved a stop light at 7<sup>th</sup> Street and HWY 10.

David Cummings expressed his frustration with lack of storm sewer in this neighborhood and would like this fixed before this project is started.

Lyle Korynta asked for clarification if his lot would be three equivalent dwelling units and if he can pay his specials before it is assessed. Hanson replied that his lot is one EDU and he can make the lump sum payment.

Todd Heiberg asked why more homes along 7<sup>th</sup> Street NE were not assessed for front footage. Currently his property sewer line goes west under the trailer court and he would like to see his sewer moved to 7<sup>th</sup> Street NE. Hanson explained front footage is for lots facing 7<sup>th</sup> Street and the other lots face Avenues. He also explained that there is no sewer or water lines along 7<sup>th</sup> Street to connect too.

Brian Lund asked what material 7<sup>th</sup> Street will be made of and when will the streets in Woodbridge be fixed. Hanson replied that it will be asphalt with concrete curb and gutter and Olson replied that Woodbridge streets will be included in a separate future project.

Mathew Engbrecht asked if a park will be developed on the west side of 7<sup>th</sup> Street NE and if 7<sup>th</sup> Street will be able to handle more weight than it currently does. Olson told him they hope to put a park there and Hanson explained that 7<sup>th</sup> Street will be a ten ton road.

Tyia Patnaude asked what the financial cap is on the project. Olson explained that the engineering report has conservative numbers but that we will know more once bids are opened and then council and staff will assess if the cost is feasible.

Roger Anderson asked how many lanes the road will be and Hanson replied that it will be built wide enough for three lanes but will be striped for two with a future possibility of having a third turn lane added. Anderson also asked why the residents on Woodbridge Drive are not being assessed and Hanson replied that they were assessed for 14<sup>th</sup> Street NE and the City is following the Area Wide Assessment map for collector streets.

Mike Rehder asked how access to properties will be addressed during construction and how contractors would be held to their timeline. Hanson replied that the contractor will be required to have a plan in place to make sure residents have access to their lots and that there will be a provision in their contract to ensure on time completion. Rehder also suggested putting in a four way stop on 7<sup>th</sup> Street and 4<sup>th</sup> Avenue NE.

Gail Bratholt asked for clarification if she would be assessed more for being on a corner lot and Hanson replied that she would be assessed for one EDU. She expressed concern that the residents on Woodbridge Drive are not being assessed.

Ken Parke asked how much state funding the City is getting and Hanson replied that a grant for \$1.25 Million was received for street repairs. Parke expressed concerns about the field on the northwest side of 7<sup>th</sup> Street and what will happen with deferred assessments from this area. He is also concerned about future projects costs and how they will be paid for.

Frank Gross asked for clarification on the bike path extension and if it will connect with the Heartland Trail. Hanson replied that the shared use path currently is in the boulevard on the east

side of 7<sup>th</sup> Street NE and goes from 8<sup>th</sup> Avenue NE south to 3<sup>rd</sup> Avenue NE and that it will be extended north to the Summerwood entrance and south to HWY 10. Mastera added that the City is trying to make plans to connect this path to the Heartland Trail.

Loren Lee asked if federal funds being given out for COVID relief can be used for this project. Olson replied that those funds have very specific stipulations and cannot be used for this project.

David Cummings wanted to know a more specific cost for the project. He also would like more walking/bike paths in the city and thinks this would be better use of city funds. Olson replied that the estimated specials for his property would be \$2,737 which would be approximately \$210 a year. Mastera explained that future plans include a park on the north side of town and it would include walking paths.

Todd Heiberg asked how many acres are in the undeveloped area and how the assessments for that area were figured out. Hanson explained that they figured it out using the front footage and equivalent dwelling units.

Darin Sundstrom asked if there will be access to the bike path from 5<sup>th</sup> or 6<sup>th</sup> Avenue NE. Hanson replied that the goal is to have people to cross at 4<sup>th</sup> Avenue which is a protected crossing.

Ken Parke asked if the Buffalo River Water Shed District has signed off on having the ditch filled in. Hanson replied that they are aware of the project and we have been working with them.

Lori Irwin asked if the meeting will be available online. Mastera replied that a recording would be available on the City Facebook page.

Public hearing closed at 7:49 p.m.

#### 7. RESOLUTION 21-42, ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR THE 7TH STREET NORTHEAST RECONSTRUCTION PROJECT

Resolution 21-42 orders the improvement of 7<sup>th</sup> Street Northeast and for Moore Engineering to begin design.

Peterson mentioned that the properties with driveway access on 7<sup>th</sup> Street will be getting a new apron.

Olson said that 7<sup>th</sup> Street NE has been identified as an issue for over ten years and is a much needed improvement. The City has been working with Metro COG on different options and putting in a full residential street with curb and gutter would have long term benefits for everyone.

Nash also said 7<sup>th</sup> Street has been identified as needing improvements for a long time and this is a great project especially from a safety perspective.

MOTION: by Peterson, seconded by Jesme, to approve Resolution 21-42, Resolution ordering improvement and preparation of plans for the 7<sup>th</sup> Street Northeast Reconstruction

Project. Motion carried by Nash, Jesme, Olson, and Peterson voting aye, Aasness voting nay.

8. CONSIDERATION, CHANGER ORDER #1 FOR THE NORTHSIDE SANITARY SEWER IMPROVEMENT PROJECT

The change order is recommended by the City Engineer and increases the contract price by \$9,791.29. This change order covers the cost of various sanitary sewer repairs that came up unexpectedly during the project.

MOTION: by Aasness, seconded by Nash, to approve change order #1 for the Northside Sanitary Sewer Improvement Project. Motion carried by all members present voting aye.

9. ORDINANCE 21-06, LOCK BOX ORDINANCE FOR BUILDINGS

Fire Chief Empting explained that requiring commercial buildings and apartments to have a lock box on the outside of their buildings with a key to the building in it would allow the Fire Department quicker access to buildings when needed.

MOTION: by Peterson, seconded by Aasness, to approve Ordinance 21-06, Lock Box Ordinance for Buildings. Motion carried by all members present voting aye.

10. Resolution 21-39, Accepting a Donation from ABC123 Child Enrichment Center for Night to Unite

ABC123 Child Enrichment Center has made a donation of \$300 for the Police Department to use for Night to Unite.

MOTION: by Nash, seconded by Peterson, to approve Resolution 21-39, accepting a donation from ABC123 Child Enrichment Center for Night to Unite. Motion carried by all members present voting aye.

11. RESOLUTION 21-40, ACCEPTING A DONATION FROM EDEEN FAMILY DENTISTRY FOR NIGHT TO UNITE

Edeen Family Dentistry has made a donation of \$200 for the Police Department to use for Night to Unite.

MOTION: by Jesme, seconded by Aasness, to approve Resolution 21-40, accepting a donation from Edeen Family Dentistry for Night to Unite. Motion carried by all members present voting aye.

12. RESOLUTION 21-41, ACCEPTING A DONATION FROM THE ALBERT E. JOHNSON VFW POST 1223 FOR NIGHT TO UNITE

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Albert E Johnson VFW Post 1223 has made a donation of \$300 for the Police Department to use for Night to Unite.

MOTION: by Peterson, seconded by Nash, to approve Resolution 21-41, accepting a donation from Albert E Johnson VFW Post 1223 for Night to Unite. Motion carried by all members present voting aye.

### 13. RESOLUTION 21-43, ACCEPTING A DONATION FROM RED RIVER VALLEY CHURCH FOR NIGHT TO UNITE

Red River Valley Church has made a donation of \$200 for the Police Department to use for Night to Unite.

MOTION: by Jesme, seconded by Nash, to approve Resolution 21-43, accepting a donation from River Valley Church for Night to Unite. Motion carried by all members present voting aye.

### 14. COUNCIL MEMBER'S CONCERNS AND COMMITTEE UPDATES

- Jesme The Fire Department is reviewing applications for additional members.
- Aasness Thank you to the Maintenance Department for all your hard work helping with Loco Daze.
- Nash Thank you to everyone who helped with Loco Daze. It was a great event.
- Peterson Thank you to the Loco Daze committee and everyone who helped make the event a success. There was good attendance at the Italian dinner.
- Mastera Thank you to city staff for helping Loco Daze. The Maintenance Department, Police Department, Fire Department and City Hall employees contribute to the success of Loco Daze.
- Olson Thank you for another great Loco Daze.
- Thank you to everyone who participated in the public hearing. There were a lot of good questions and some issues that were brought up that will need to be looked into further.

### 15. PAYMENT OF THE BILLS

MOTION: by Aasness, seconded by Nash, to pay the claims and bills dated July 26, 2021. Motion carried by all members present voting aye.

16. ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

Mayor:   
Chad Olson

ATTEST:   
L. Peyton Mastera, City Administrator

Approved by the Dilworth City Council on August 9, 2021