

Minutes of the regular meeting of the City Council of Dilworth, Clay County, Minnesota, held November 22, 2021, at 6:00 o'clock p.m., at City Hall.

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

OTHERS: City Administrator Peyton Mastera, Finance Officer Jerry Griggs, Fire Chief Mark Empting, Police Chief Ty Sharpe, Maintenance Supervisor Jeff Berg, David Steichen, Kendra Ferencak, Don Lorsung, 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 Jesme, seconded by Nash, to approve the November 22, 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 November 8, 2021 City Council meeting.

MOTION: by Aasness, seconded by Nash, to receive and file the resignation of AJ Schlee as a full time police officer.

MOTION: by Aasness, seconded by Nash, to receive and file the resignation of Blair Hill from the Dilworth Planning Commission.

MOTION: by Aasness, seconded by Nash, to authorize hire of Scott Payne as Assistant Fire Chief at the rate of \$2,000/year.

MOTION: by Aasness, seconded by Nash, to authorize hire of Tylan Grimley as Fire Lieutenant at the rate of \$1,000/year.

MOTION: by Aasness, seconded by Nash, to authorize hire of Bill Ritter as Fire Captain at the rate of \$1,200/year.

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MOTION: by Aasness, seconded by Nash, to authorize hire of Brayden Johnson as a warming house attendant at the rate of \$11.00/hour.

MOTION: by Aasness, seconded by Nash, to receive and file the agenda from the November 15, 2021 Fire Department Business meeting.

MOTION: by Aasness, seconded by Nash, to receive and file minutes from the November 15, 2021 Fire Department Business meeting.

MOTION: by Aasness, seconded by Nash, to approve training request of Chief Ty Sharpe to attend Chemical Irritant Instructor training in Elk River, MN on December 20, 2021.

MOTION: by Aasness, seconded by Nash, to receive and file the October utility report.

MOTION: by Aasness, seconded by Nash, to approve and authorize the execution of all documents related to the Small Cities Development Grant Program.

A. Administrative Contract with Clay County HRA

B. Receive and file Small Cities Grant Owner Occupied Housing Rehabilitation Program Policy and Procedural guide.

C. Grant contact agreement between the City of Dilworth and the Department of Employment and Economic Development.

D. Fair Housing Plan of Action Small Cities Development Program agreement.

E. Affirmative Contract Outreach Plan

F. Authorization to Sign Reimbursement Requests.

G. Receive and file Small Cities Grant Rehabilitation Program Policy and Procedural guide.

H. Program Income and Reuse & Grant Reporting Plan.

I. Certification for Drug Free Workplace Acknowledgement.

J. Prohibition of Excessive Force Policy.

G. Residential Anti-displacement and Relocation Assistance Plan

END OF CONSENT AGENDA

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5. CITIZEN'S CONCERNS

None received.

6. SERVICE AWARD, JEFF BERG FOR 15 YEARS OF SERVICE

Mayor Olson thanked Jeff Berg for his 15 years of service and dedication to the city.

7. UPDATE, SMALL CITIES DEVELOPMENT PROGRAM (KENDRA FERENCAK WITH CLAY COUNTY HRA PRESENTING

Kendra Ferencak with Clay County HRA gave an update on the Small Cities Development program. The program received eight letters from businesses that intend to apply, funding is available for seven businesses. Sixty-five residents submitted letters of intent to apply, funding is available for twenty one homes. Out of the letters of intent, typically, only a third do the full application.

8. RESOLUTION 21-62, ADOPTION OF THE MULTI-FAMILY TAX ABATEMENT POLICY

The highlights of a revised tax abatement policy for multi-family projects are below:

- Two-year tax abatement program (City, County, and School District Taxes) still offered, regardless of the size and scope of a project.
- Additional tax abatements in years 3-5 (75%, 50%, and 25% on City taxes) are available for developments that meet the following criteria:
  1. Have a minimum of 36 units.
  2. Value of \$70,000 per unit.
- A 20% premium abatement is available in years 3-5 on developments that provide underground or first-floor connected parking.
- A 5% premium abatement is available in years 3-5 on developments that provide an on-site playground.

MOTION: by Jesme, seconded by Peterson, to approve Resolution 21-62, Adoption of the Multi-Family Tax Abatement policy. Motion carried by all members present voting aye.

9. CONSIDERATION, AUTHORIZE HIRE OF DANIEL MOONEN AS A FULL TIME POLICE OFFICER

The Police Officer Hiring Committee is recommending Community Services Officer Daniel Moonen be hired as a full time police officer. Four applicants were interviewed, but Officer

Moonen stood out the most during the process. Officer Moonen is being recommended to be hired at Step 1 with an official start date of November 29th.

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

10. CONSIDERATION, ANNEXATION AGREEMENT WITH TODD NELSON CONSTRUCTION, INC.

At the last City Council meeting an update was provided on the potential annexation of 541 50th Street South and extension of utilities to this location. It was determined that extending a water main south to this property is not financially feasible for the City of Dilworth, so a connection would be allowed off our existing main, approximately 275' northeast of this property.

The City will require the property owner to sign off on a contract that in the future when utilities are extended to this property, the property owner (or successors) are not allowed to object to any future special assessment for said utilities, regardless of benefit – or lack thereof – to the property. Mr. Nelson has reviewed it and in agreement with the contract; this contract will be recorded with the property deed.

MOTION: by Aasness, seconded by Peterson, to motion to approve the annexation agreement with Todd Nelson Construction, Inc. Motion carried by all members present voting aye.

11. CONSIDERATION, ORDINANCE 21-08 SUMMARY FOR PUBLICATION, CREATING CHAPTER 35 ADMINISTRATIVE CITATIONS AND CIVIL PENALTIES AND AMENDING CHAPTER 94 NUISANCES OF THE DILWORTH CODE OF ORDINANCES

Ordinance 21-08 created a new Chapter 35 (Administrative Citations and Civil Penalties) and amended Chapter 94 (Nuisances), was approved at the November 8, Council meeting. This consideration would be to publish the following summary of the Ordinance in the newspaper.

ORDINANCE 21-08 AN ORDINANCE CREATING CHAPTER 35 ADMINISTRATIVE CITATIONS AND CIVIL PENALTIES AND AMENDING CHAPTER 94 NUISANCES OF THE DILWORTH CODE OF ORDINANCES.

This ordinance does the following:

- 1) Corrects conflicting language and provides for an overall re-rewrite of Chapter 94 Nuisances.
- 2) Establishes a new Chapter 35 Administrative Citations and Civil Penalties. This will allow for a series of administrative fines to be levied against property owners that fail to maintain their property. This chapter also spells out an appeal process with multiple levels of review (City Administrator → Hearing Board → District Court).

This ordinance shall take effect and be in force from and after its passage and publication, effective January 1, 2022, and all other ordinances, resolutions, and acts and proceedings of the City and of the Council which are inconsistent with the terms of this ordinance are hereby amended or repealed to the extent necessary to give full force and effect to this ordinance.

APPROVED AND ADOPTED this 8th day of November, 2021 in the City of Dilworth, Minnesota. This ordinance in its entirety can be viewed at the office of the City Administrator at 2 First Avenue SE, Dilworth, MN 56529.

MOTION: by Nash, seconded by Jesme, to motion to approve Ordinance 21-08 Summary for Publication. Motion carried by all members present voting aye.

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

- Aasness Attended the Coalition of Greater MN cities conference. Packets are at everyone's seats. The main topic discussed was the child care shortage and how to help facilities.
- Nash Metro COG hired a new planner and have put out the 2021 metro profile community outlook.
- Mastera Be More Colorful offers 360 views of businesses for a \$275 per year per business fee. Full time staff will be looking in to use ARPA funds to provide the first year free to businesses that were badly impacted by COVID.
- Olson Met with Ebenezer of the Liberian Coalition of Fargo. A great conversation on how to welcome members to our community and how we can help them.
- Participated in the Fire Department reviews. The process was well organized and great to see.
- Mayor Olson made note of the recent door hangars Fuchs Sanitation put out about increased recycling in the community. Should the City be doing more recycling promotion as a way to lower our landfill costs?
- Thank you to full time staff for helping create our new incentive program for apartments.
- Thank you HRA for helping out or residents and helping revitalize our downtown area.


## 13. PAYMENT OF THE BILLS

MOTION: by Aasness, seconded by Nash, to pay the claims and bills dated November 22, 2021. Motion carried by all members present voting aye.

14. ADJOURNMENT

The meeting was adjourned at 6:36 p.m.

Mayor:   
Chad Olson

ATTEST:   
L. Peyton Mastera, City Administrator

Approved by the Dilworth City Council on December 13, 2021