

Minutes of the regular meeting of the City Council of Dilworth, Clay County, Minnesota, held December 10, 2018, at 6:00 o'clock p.m., at City Hall Council Chambers.

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

OTHERS: City Administrator Peyton Mastera, Finance Officer Sherri Farwell, Maintenance Supervisor Don Vogel, City Planner Stan Thurlow, City Engineer Dan Hanson, 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 Spaulding, seconded by Nash, to approve the December 10, 2018 amended meeting agenda. Motion carried by all members present voting aye.

3. 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 November 26, 2018 City Council meeting.

MOTION: by Aasness, seconded by Nash, to receive and file November 2018 utility report.

MOTION: by Aasness, seconded by Nash, to approve Fire Chief (Mark Empting) pay for 2019 at \$3,200/year.

MOTION: by Aasness, seconded by Nash, to approve Fire Assistant Chief (Scott Payne) pay for 2019 at \$2,400/year.

MOTION: by Aasness, seconded by Nash, to approve Fire Captain (Marty Grimley) pay for 2019 at \$1,200/year.

MOTION: by Aasness, seconded by Nash, to approve Fire Lieutenant (Bill Ritter, Chris Kohler, Riley Nelson) pay for 2019 at \$1,000/year.

MOTION: by Aasness, seconded by Nash, to approve Fire Secretary/Officer Manager pay for 2019 at \$1,000/year.

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- MOTION: by Aasness, seconded by Nash, to approve Fire Fighter pay at the hourly rate of \$14.22/hour in 2019.
- MOTION: by Aasness, seconded by Nash, to approve salary step schedule of all full time employees in 2019.
- MOTION: by Aasness, seconded by Nash, to approve A Place for Hope to host a fundraiser at the Dilworth Community Center on January 19, 2019.
- MOTION: by Aasness, seconded by Nash, to receive and file October gambling monthly return statement for the Lion's Club.
- MOTION: by Aasness, seconded by Nash, to approve hire of Jacobe Stetz for as a Warming House Attendant at \$10/hour.
- MOTION: by Aasness, seconded by Nash, to approve hire of Michael Norberg as a Warming House Attendant at \$10.50/hour.
- MOTION: by Aasness, seconded by Nash, to appoint Brad Anderson to the Dilworth Park Board. Term to expire December 31, 2021.
- MOTION: by Aasness, seconded by Nash, to appoint Jeff Devier to the Dilworth Planning Commission. Term to expire December 31, 2022.
- MOTION: by Aasness, seconded by Nash, to approve contract with ASP of Moorhead for security services at the Dilworth Community Center.

END OF CONSENT AGENDA

#### 4. CITIZEN'S CONCERNS

None received.

#### 5. DISCUSSION, HIGHWAY 10 AND 12TH STREET IMPROVEMENTS

The bids came in much higher than the engineer's estimate, with the total estimated project costing \$264,189.20. Funding for this project, as it presently stands, would be from two sources: \$126,000 from MNDOT and the remaining \$138,189.20 from the City of Dilworth.

In response to the bids coming back higher than anticipated, staff reached out to BNSF about their level of desire to have the ¾ access into their property, if they are required to financially contribute towards the project. No formal response has been given by BNSF. Contact has been made with BNSF's Twin Cities Division's Manager Engineer of Services & Structures, so they are aware of the situation.

It is staff's opinion the City should not be responsible for costs beyond constructing the intersection as a right-in / right-out, in accordance with the corridor study. The projected cost of those improvements would be \$37,000.

Staff's recommendation is to reject bids and initiate the 429 process. The City would proceed with assessing BNSF for the ¾ improvements, with BNSF covering all costs above Dilworth and MNDOT's contribution.

6. RESOLUTION 18-73, REJECTING BIDS FOR THE HIGHWAY 10 AND 12TH STREET NORTHEAST IMPROVEMENT PROJECT

MOTION: by Spaulding, seconded by Aasness, approve Resolution 18-73, Rejecting Bids for the Highway 10 and 12th Street Northeast Improvement Project. Motion carried by all members present voting aye.

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

Pay request #4 for the work completed on the Keystone 1st Addition, 14th Street Northeast, and 4th Avenue Northeast Project in the amount of \$24,318.47.

MOTION: by Aasness, seconded by Jesme, to approve Pay Request #8 for the Keystone 1st Addition, 14th Street Northeast, and 4th Avenue Northeast Project in the amount of \$24,318.47. Motion carried by all members present voting aye.

8. CONSIDERATION, PAY REQUEST #5 FOR THE KEYSTONE AND ORCHARD LIFT STATION AND FORCEMAIN TO MOORHEAD PROJECT

Pay request #5 for the Keystone and Orchard Lift Station and Forcemain to Moorhead project in the amount of \$25,198.37.

MOTION: by Jesme, seconded by Aasness, to approve pay request #5 for the Keystone and Orchard Lift Station and Forcemain to Moorhead project in the amount of \$25,198.37. Motion carried by all members present voting aye.

9. RESOLUTION 18-72, 2019 FINAL PROPERTY TAX LEVY

In September council set the levy increase at 6.94%. The average impact to a home owner on city taxes is about 3.26%.

There were uncommitted funds as a result of the preliminary levy reflecting a recent hire (hired as Step 1 not Step 3) and higher revenue than anticipated in state aid funds. This total amount of this is \$14,180. Those funds went into the Ditch Assessment line item which was \$0, now it is \$10,000. Additionally, \$4,180 was put into the Prosecution Services line-item with the uncertainty around it.

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MOTION: by Spaulding, seconded by Nash, to approve Resolution 18-72, 2019 Final Property Tax Levy. Motion carried by all members present voting aye.

10. CONSIDERATION, APPROVAL OF 2019 BUDGET

MOTION: by Nash, seconded by Aasness, to approve 2019 budget. Motion carried by all members present voting aye.

11. ORDINANCE 18-11, MOVING CITY ELECTIONS FROM ODD-NUMBERED TO EVEN-NUMBERED YEARS

Once passed the Ordinance 18-11 will be published on December 17, 2018, it becomes effective 240 days thereafter. However, concurrently running with the 240 day timeframe, within 180 days of publication (June 16, 2019), a petition signed by 10 percent of the number of voters in the last municipal election (approximately 170 signatures) contesting this may be filed - at which time an election would be held to vote on the decision. If filed, Council reserves the right to reconsider its position, continuing on with the present format. If nothing is filed, Ordinance 18-11 would become effective August 19, 2019, Council terms are then extended by one year, next municipal election scheduled for 2020

MOTION: by Nash, seconded by Jesme, to approve Ordinance 18-11, Moving City Elections from Odd-Numbered to Even-Numbered Years. Motion carried by all members present voting aye.

12. PUBLIC HEARING: RESOLUTION 18-74, MISCELLANEOUS ASSESSMENT FOR TREE REMOVAL AT 109 2NS STREET SOUTHWEST – MITCHELL AND HOLLY FISHER

Opened at 6:35 p.m.

Closed at 6:36 p.m.

MOTION: by Aasness, seconded by Spaulding, to approve Resolution 18-74, Resolution Adopting for Unpaid Tree Removal Charges at 109 2nd Street SW. Property owned by Mitchell & Holly Fisher. Motion carried by all members present voting aye.

13. ORDINANCE 18-12, ADOPTION OF 2019 FEE SCHEDULE

MOTION: by Aasness, seconded by Nash, to approve Ordinance 18-12, Adoption of 2019 Fee Schedule. Motion carried by all members present voting aye.

14. ORDINANCE 18-12, SUMMARY FOR PUBLICATION

MOTION: by Jesme, seconded by Nash, to approve Ordinance 18-12 Summary for Publication, as presented. Motion carried by all members present voting aye.

15. DISCUSSION, PROSECUTION SERVICES UPDATE

On January 31, 2019 the current prosecution services with Clay County will end. Dilworth’s request for the County to continue services in this capacity has been declined. The City of Moorhead has started the process of advertising for prosecution staff. All Clay County cities will be meeting on Wednesday, December 12, 2018 to discuss the options and what they would like to see out of the upcoming contracts.

16. COUNCIL MEMBER’S CONCERNS AND COMMITTEE UPDATES

Spaulding      Habitat house is almost done.

Mastera        There are currently openings on both Park Board and Planning Commission. Please get the word out that we are looking to fill those positions.

Reminder the second meeting in December has been moved to December 27, 2018.

Olson           2019 Council Appointments were handed out. Council will need to decide what changes they want by the first meeting in January.

Thank you to all the staff that worked on the budget this year.

17. PAYMENT OF THE BILLS

MOTION:      by Aasness, seconded by Nash, to pay the claims and bills including the addendum dated December 10, 2018. Motion carried by all members present voting aye.

18. ADJOURNMENT

The meeting was adjourned at 6:58 p.m.

Mayor: \_\_\_\_\_

  
Chad Olson

ATTEST: \_\_\_\_\_

  
L. Peyton Mastera, City Administrator

Approved by the Dilworth City Council on \_\_\_\_\_ December 27, 2018