

Dawson City Council Minutes

April 5, 2016

5:30 p.m.

The Dawson City Council met in regular session on Tuesday, April 5, 2016, at 5:30 p.m. in the City Council Chambers.

Councilpersons present: Steve Tufto, Jeff Olson, Dave Lien, and J.T. Schacherer.

Councilpersons absent: Becky Bothun and Heather Myers.

Others present: Mayor Merlin Ellefson, City Manager Crystal Hansonl, City Clerk Treasurer Tami Schuelke-Sampson, City Attorney Rick Stulz, Maintenance Superintendent Brent Powers, Fire Chief Brian Hersom, County Assessor Lori Schwendemann, County Assessor Beth Westby, Steven Farnen, Dave Hickey, Lee Gunderson, County Commissioner Todd Patzer, County Commissioner DeRon Brehmer, County Commissioner Roy Marihart, County Auditor Treasurer Jake Sieg, Trudy Hastad, Darrel Ellefson, Dave Craigmile, Jon Olson, Seth Haas, Nick Connor, Dave Ludvigson, Doug Breberg and Ron Ringquist.

Declaring a quorum present Mayor Ellefson called the meeting to order and the group repeated the Pledge of Allegiance to the Flag.

City Attorney Rick Stulz performed the Oath of Office for Steve Tufto.

Mayor Ellefson asked for approval of the agenda with the addition of 7A which is the 3.2 Liquor License applications for the Dawson Boyd Baseball Association and Cerro Gordo Beer Gardens during the 2016 Riverfest Celebration. On motion by Councilman Lien seconded by Councilman Schacherer to approve the agenda with the addition. Voting in favor: Tufto, Olson, Lien, and Schacherer; voting against: none; absent: Bothun and Myers. Motion carries.

On motion by Councilman Schacherer seconded by Councilman Olson to approve the March 15th Council minutes and March bills paid. Voting in favor: Tufto, Olson, Lien, and Schacherer; voting against: none; absent: Bothun and Myers. Motion carries.

Councilman Schacherer left City Council Chambers at 5:32 p.m.

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Mayor Ellefson opened the 10 minute public forum. Hearing no comments Mayor Ellefson closed the public forum.

Mayor Ellefson opened the Board of Appeal and Equalization and asked Lori Schwendemann to give her report. Lori stated there have been 12 sales with the median ratio of 97.5%. There was no increase in property values except the area North of Highway 212 in the Volds First Addition due to sales. There was one property that needed to be corrected. This property was 458 4th Street. Upon initial evaluation a person that lived there mentioned that they had new kitchen cabinetry and bathroom fixtures so the value went up to \$14,900 but upon inspection it was discovered that the cabinetry and fixtures were used so the value was decreased to \$7,900. On motion by Councilman Olson seconded by Councilman Lien to approve the corrected value of this property. Voting in favor: Tufto, Olson, and Lien; voting against: none; absent: Bothun, Myers, and Schacherer. Motion carries. Mayor Ellefson then asked if there were any further comments and Steve Farmen explained he thought this was a private meeting and is dissatisfied with the value of his unbuildable bare lot that he bought from the City for \$50,000 last year. The lot was originally valued at \$3,500 but was reduced to \$1,000. Steve explained that he only owns one lot currently and not two that is stated in the explanation paragraph. There was then discussion if the lot is buildable or not and it was stated that in the past there was a house on the lot. Jeff stated he thinks the value of the lot is at least \$1,000. On motion by Councilman Olson seconded by Councilman Lien to keep the value of the lot at \$1,000. Voting in favor: Tufto, Olson, and Lien; voting against: none; absent: Bothun, Myers, and Schacherer. Motion carries. Steve explained that he is going to appeal to Lac qui Parle County Court of Assessors and then the State of Minnesota.

On motion by Councilman Olson seconded by Councilman Tufto to approve the 3.2 Liquor License application for the Dawson Boyd Baseball Association and Cerro Gordo Beer Gardens during the 2016 Riverfest Celebration. Voting in favor: Tufto, Olson, and Lien; voting against: none; absent: Bothun, Myers, and Schacherer. Motion carries.

Mayor Ellefson stated the addendum for the Olson Sanitation Garbage Contract will be tabled until there are enough councilmembers to vote. On motion by Councilman Lien to table this. City Attorney Rick stated there are enough councilmembers. On motion by Councilman Lien to revoke his previous motion and to approve the addendum for the Olson Sanitation Garbage

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Contract. Voting in favor: Tufto, Lien, and Ellefson; voting against: none; absent: Bothun, Myers, and Schacherer; abstaining: Olson. Motion carries.

City Attorney Rick Stulz stated there have been discussion and a meeting about hazardous housing in Dawson. The two properties that are being forfeited on taxes and hazardous are located at 414 6th Street and 320 Oak Street. The property at 414 6th Street the foundation is in tough shape, windows are broken and no maintenance has been done on the property in many years. The property at 320 Oak Street had a water line break upstairs and it ran down to the main level and became a skating rink when it froze in the winter which led to warped floors and walls. On motion by Councilman Olson seconded by Councilman Lien to declare these properties hazardous and order to take them down. Voting in favor: Tufto, Olson, and Lien; voting against: none; absent: Bothun, Myers, and Schacherer. Motion carries. Lee stated he did not want the property at 320 Oak Street to become a plat of grass and would like a business located there. It was stated that maybe the EDA or DDC can buy it at a sale and have control of that lot. Brian explained that this same property can be used for a training burn for the Fire Department. Rick stated that other properties will be getting letters to address the condition of their properties including those located at 214 6th Street and 686 Maple Street. Brian asked about the property at 720 Walnut Street and Rick explained that they are paying taxes but could look at a Neighbor Program.

Mayor Ellefson recessed the normal Council meeting for the Public Hearing on the Siren Project and explained that at a past Council meeting a resolution to apply for the grant was approved. Crystal explained she is in the process of submitting the documents for the grant and will then wait to hear if we will be reimbursed up to 55%. The proposed plan is that the existing siren that is currently by the Rusty Duck will be moved to the southwest end of the playground by the school and a new one with generator backup will be located at the top of the hill by the wastewater plant. The current one at AGP will stay. This should provide plenty of coverage for the City. Brent stated that Ottertail Power Company will donate a pole, labor and set the pole. Jeff asked if the south end of town over the river will hear it and Brent stated it should be a lot better and the sales man is drawing up a plan that will show how far the siren will travel. Crystal stated she saw the plan and they should be able to hear it. Lee stated that this was told to them the last time the City got sirens and they were not happy with what they got and Jeff explained that the never did cover like they said they would. Crystal will be getting more bids since for the grant she is required to submit 3. Brian asked if the Presbyterian Church was

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looked at as a possible location because there is a lot of grass there. Crystal stated she will do more research. Hearing no further comments or questions the Public Hearing was closed.

Mayor opened the second Public Hearing for the Squad Car Cameras and explained this is a requirement for the grant. Crystal explained that the grant will be for two cameras. They currently have one but it is not adequate. The cost for both cameras would be approximately \$10,000 and the grant would pay up to 55%. Brian asked about body cameras and Rick stated they are going to hold off on that right now due to not knowing completely what is public and not. We will wait and let the metro cities figure it out. Rick explained that squad cameras are public because it is on a public street in a public area and are a great thing for Police Officer safety.

On motion by Councilman Lien seconded by Councilman Olson to approve tabling the request for detachment from City limits for the property located at 218 Oak Street to the next Council meeting. Voting in favor: Tufto, Olson, and Lien; voting against: none; absent: Bothun, Myers, and Schacherer. Motion carries.

Mayor Ellefson welcomed a group of people to the Council meeting to discuss the current condition of Ditch #4 and the status of the pending redetermination of benefits before opening the floor to County Auditor Treasurer Jake Sieg. Jake provided some basic background information and informed the council that the initial inspection of the drainage pipe that runs under the city has been completed. The interior of the pipe, while some issues were present, was in fairly good shape given the age of it. There are no immediate safety concerns but there are some issues that need repair due to the pending issues with sink holes, soil seepage, and water backing up in the system which may be the result of the dike. The discussion then moved to the reasons for the redetermination of the benefits for Ditch #4 that has been ordered by the ditch authority.

Ron Ringquist, an expert viewer appointed by the board, introduced himself and explained ditch laws along with the criteria in establishing new benefit determination. He explained that repairs to ditches are limited in dollar amount of the original benefit attributed to the ditch system. These amounts were often determined in 1920's or 1930's and based on land values at that time - which Mr. Darryl Ellefson thought the benefits amount was around \$29,000. Pursuant to statutes, the ditch authority can only make repairs, clean out, etc. so long as the

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costs stay within this original benefit amount. However, any significant repairs to the ditch system in today's world would far exceed this amount and therefore it is necessary to redetermine (or update) the benefits of the ditch. The redetermination does result in any monies being due now, but only if repairs or improvements are necessary in the future. It merely updates those being benefits by the ditch and the total benefits that can be assessed.

Mr. Ringquist went on to explain that this ditch is a unique because it benefits both the county and the municipality. He made no representations as to whether or not the redetermination would place a greater benefit on the city versus the agricultural land. Currently, the city's benefit equates to about 12% of the total benefit- meaning city residents (who are currently paying ditch assessments) pay about 12% of any improvements to the ditch. Since there has not been any significant repair or improvements to the ditch, the past assessments were fairly minimal and may have only resulted in a couple of dollars per city parcel.

A discussion was also held on the different ways the ditch authority can assess the costs of improvements to the ditch. Currently, it was understood that the properties that were determined to benefit by the ditch system are being assessed per parcel and depending on the size of the lot in the city. The alternative method would be for the ditch authority to simply assess the City as a whole and then the City pays the assessment. The City can then either assess each property as they deem appropriate or they can merely treat it as a city wide expense as it likely the case with other storm sewer systems.

Mr. Ringquist explained if the City wants to continue with individual parcels from the ditch authority, the expenses of the redetermination will be slightly higher (which is paid by the property being redetermined) due the number of city owned properties and the required notices.

At this point, the ditch authority indicated that they were seeking input from the City as to how they would like to proceed with the assessment. No decisions have been made as to what type of repairs or other options are needed to the system.

Jeff asked if the industry involved or the City could do their own system and yes they can but then would have to disconnect from Ditch #4 and petition to be removed from that benefit. More discussion occurred and the group left. Dave stated that since this ditch benefits all living

within the city limits to do a citywide assessment with industry being separated because of their high usage. After some discussion among councilmembers it was decided to think more about this and come back next meeting with how the City may want to proceed.

Mayor Ellefson explained that there was a request from the Dawson Boyd Trap Shoot League for the Dawson Liquor Store to donate to the program. Jeff stated that we are very conservative with our donations and do not want to set a precedence if donate to them. Steve asked if there were any expectations and Merlin said no. On motion by Councilman Olson seconded by Councilman Lien to not donate. Voting in favor: Tufto, Olson, and Lien; voting against: none; absent: Bothun, Myers, and Schacherer. Motion carries.

City Mtn Supt. Brent Powers' report.

1. Brent explained the proposal received from Warren's Sales & Service to replace the current 61" lawnmower. This mower will be the same as the one previously purchased except gas instead of diesel. They expect the gas to actually be more cost efficient with fuel than the diesel. The comparable John Deere mower was priced at \$5,000 more than this Scag Cheetah. Jeff asked if Warren's Sales & Service has given good service and Brent said yes, very good service. On motion by Councilman Olson seconded by Councilman Lien to approve the proposal for the new lawnmower. Voting in favor: Tufto, Olson, and Lien; voting against: None; absent: Bothun, Myers, and Schacherer. Motion carries. Brent stated that Warren's Sales & Service may be interested in purchasing the old mower which is approximately 15 years old and has a lot of hours on it. Merlin stated he would like this opened for other bids.
2. Brent stated that 2 pumps have gone down and backup is being used. On motion by Councilman Olson seconded by Councilman Tufto to approve repairing the 2 broken pumps. Voting in favor: Tufto, Olson, and Lien; voting against: None; absent: Bothun, Myers, and Schacherer. Motion carries.
3. The no trucks signs have been going up. Jeff asked the cost of the signs and the benefit from doing it and Brent explained it was approved last year at a Council meeting per Police request and the signs were ordered at that time. The staff is also adding stop signs and intersection signs at the same time.
4. The park restrooms are being opened up and hope to be fixing the pool floor shortly.
5. Merlin asked about street repair and Brent stated things are firming up well but there are still some bad spots including south of the river. Merlin asked what is

going to be done with those spots south of the river and Brent stated they will be digging them out and putting new blacktop in.

City Manager Crystal's report.

1. Crystal explained the EDA has a strong focus on housing and there are individuals interested in developing townhouses and single family homes. The DDC stated they have investors interested in this as well. DEED currently has a market rate housing grant available that may not be available next year. Crystal then explained some areas of town the City has looked at for developing and how it would be done.
2. Crystal stated the grant for the library scanner has been submitted.
3. Jim Bullert has completed the water/wastewater rate study. Crystal explained she did know that the City is on the lower end for cost compared to other Cities and will have more information for the Water/Wastewater Committee meeting April 21st and will bring this back to the Council.
4. The permit for the Veterans Park campsites has been submitted to Countryside Public Health but we now need to submit an application to get a state permit that has to be submitted by a licensed plumber.

Mayor Ellefson informed Council that he has been getting calls from concerned citizens about the proposed hog building that is going up south of town but there is nothing the City can do. Crystal explained that she has been in contact with the MPCA and those out of city limits can petition for an environmental study to be completed and she has a name and contact information for the person for them to contact. Merlin stated that this site cannot be within a mile of city limits and it is 1.2 miles.

On motion by Councilman Lien seconded by Councilman Olson to adjourn the meeting. Motion carries and the meeting adjourned at 7:47 p.m.

City Clerk Treasurer Tami Schuelke-Sampson

Mayor Merlin Ellefson