

Glyndon City Council
5/15/2017

4:30 p.m. Special Meeting
Finalize Developers Agreement and
Approve Resolution 2017-11
City Hall Council Chambers

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 4:30 p.m.
2. **Roll Call:** Council Members Present: Dave Owings, Joe Olson, Kimberly Savageau, City Clerk Wendy Affield, City Attorney Ken Norman and City Engineer Chris Thorson.

Mayor Johnson stated, show in the records Council Member Justin Schreiber is not present.

As Per Sign in Sheet: Kelly Richards, Ken Parke and Troy Tooz.

3. **Discussion to Finalize the Developers Agreement Between the City of Glyndon and Kelly Richards/Southview Addition Phase 1** – Norman stated, he considers this copy the final Developers Agreement. Norman informed Council the estimated cost for the street lights will be included in the bond, stating Red River Co-op will have a number for the City by the end of the week. Norman reviewed the League of Minnesota Cities information concerning local improvements as to what the City is allowed to assess. Cities are statutorily authorized to finance the following public improvements, at least partially through special assessments:

“Street Lighting systems: Installation, replacement, extension and maintenance.”

“Gas and electric distribution facilities: Improvement, construction, reconstruction, extension, and maintenance of gas and electric distribution facilities owned by a municipal gas or electric utility.”

The City does not own their own gas or electric utilities so those expenses cannot be special assessed to the lots. Olson asked if there is a direct cost to the City for the street lighting. Norman informed Council the installation and materials to install the street lighting will be special assessed to the lots in Southview Addition. Ken Parke stated the lighting around the pond has been deleted due to high cost and maintenance issues. Mayor Johnson asked if lighting around the pond would be added in the future. Richards informed Council Red River Co-op mentioned a solar lighting system may be available in the next few years. Savageau was concerned about the language on page six (6) of the Developer’s Agreement section four (4), does this paragraph give the City enough time to do what is needed if the Developer fails to provide the replacement Letter of Credit

within the time period. Norman and Drown are comfortable with the way the paragraph reads. Mayor Johnson needs a motion. Olson asked Norman if everything else is in place. Norman stated the Letter of Credit needs to be received from the Developer and the Escrow Agreement needs to be finalized. Norman informed Council the two parties will need to decide on a bank to be the Escrow Agent for the Quick Claim Deeds, he believes it will be Northwestern Bank. Joe Olson made a motion to approve the finalized Developer's Agreement between the City of Glyndon and Kelly Richards/Southview Addition Phase 1, seconded by Kimberly Savageau.
Motion Carried.

4. Resolution 2017-11 – Resolution Accepting Bid for Proposed Construction of the Southview Addition Phase 1 – Chris Thorson informed Council this resolution is to accept the bid from Sellin Brothers, Inc. of Hawley, Minnesota for construction of Southview Addition Phase 1, stating if you look at the resolution you will see a highlighted sentence that reads “(contingent upon the City receiving the Letter of Credit from the Developer).” Thorson informed Council a preconstruction meeting has been scheduled with Sellin Brothers for Wednesday, May 17th at 11:00 a.m. in the City Hall Council Chambers. Thorson stated, the amount for the Letter of Credit will consist of the construction bid, engineering fees, attorney fees, street lighting cost, park development dedication and a project contingences of 5% for the unknowns. An amount will be deducted from the Letter of Credit figure for the City's portion of the walking path around the pond and Jim Sullivan's portion of the pond and lift stations cost. Kimberly Savageau made a motion to accept the bid for proposed construction of Southview Addition Phase 1 Resolution 2017-11. It was then discussed that the five hundred dollars (\$500.00) per lot park dedication will be included in the Letter of Credit amount since it will be part of the bond for the public improvements and special assessments to that property. Mayor Johnson asked if the Resolution can be signed even though the numbers are not finalized. Norman stated, that is why the resolution has the contingency sentence included. Thorson informed Council the land will be scraped next week but the project will not move forward until the Letter of Credit is in place. Thorson informed Council he delivered the contracts to Sellin Brothers, Inc. so they can start putting together the items they need to finalize the contract. Ken Parke asked if they can discuss the figures collected for the Letter of Credit after the preconstruction meeting on Wednesday, May 17th. Thorson informed Council LJA Engineering will be doing the onsite construction staking and Ulteig will be onsite for construction observation. Norman asked if the pins will be put in place at the start of the project. Tooz stated the pins will be installed after the utilities and substantial earth work has been completed. Kimberly Savageau made a motion to approve Resolution 2017-11 a Resolution Accepting Bid for Southview Addition Phase 1 with the contingency of receiving the Letter of Credit, seconded by Joe Olson.
Motion Carried.

Ken Parke asked Council if they would instruct David Drown to start working on the bond issue. Norman will visit with David Drown. Dave Owings made a motion to direct David Drown to move forward with the bond issue for Southview Addition Phase 1, seconded by Joe Olson.

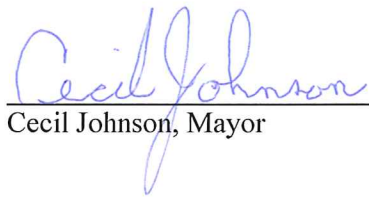
Motion Carried.

5. Open Forum -

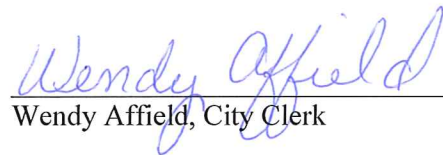
6. Adjournment

A motion was made by Joe Olson, seconded by Kimberly Savageau to adjourn at 4:52 p.m.

Motion carried.



Cecil Johnson, Mayor



Wendy Affield, City Clerk

May 15th, 2017 Glyndon City Council Special Meeting Minutes