

**Glyndon City Council**

**1/13/2016**

7:00 p.m. Regular Council Meeting  
City Hall Council Chambers

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 7:00 p.m.
2. **Roll Call:** Council Members Present: Dave Owings, Joe Olson and Kimberly Savageau, City Staff Present: Clerk/Treasurer Denise Anderson, Deputy City Clerk Wendy Affield, Maintenance Supervisor Scott Lofgren, Building Inspector Steven Schroeder.

**As Per Sign in Sheet:** Rodney Dahlsad, Katie Unterseher, Shila Hilde, Nick Olek, Joseph Olek, Jason McCoy and Karen Kringler.

3. **Motion to Approve Consent Agenda**

Affield requested an addition to the Expense Sheet adding Surplus Services for \$1000.00 for the purchase of a 1999 Honda 4-wheeler for mosquito spraying.

- a. Minutes – 12/21/2015 Truth in Taxation Public Hearing
  - b. Minutes – 12/21/15 Council Meeting
  - c. Motion to Approve Resolution of Payments – Dave Owings made a motion to approve the Consent Agenda, seconded by Kimberly Savageau.
- Motion Carried.

4. **Additions to Agenda**

- Rod & Gun Liquor Permit for Fishing Derby on Saturday January 16<sup>th</sup>

5. **Motion to Approve Agenda**

A motion to approve the 1/13/16 Agenda was made by Joe Olson, seconded by Kimberly Savageau.

Motion Carried.

6. **New Business**

- a. **Felton Volunteer Fire Department – Permission for Gaming at Morty’s Bar & Grill - Rodney Dahlsad**

– Mayor Johnson asked Mr. Dahlsad if the gaming will be seven days a week. Dahlsad explained that the machines will be available just like the ones are right now but they will have a new machine installed that will have 2 games available. Dahlsad stated that they will start with machines first and then do some bar bingo and different types of raffles. Dahlsad informed Council that the Felton Volunteer Fire Department is in the process of requesting a gambling license with the State. Anderson explained that a cover sheet will be given to their organization from the City if the request is granted and they will add it to their application to the State. The gaming must be approved by the City of Glyndon prior to the application request. Dahlsad is hoping the first of March is when they will be able to start the gaming at Morty’s. Shila Hilde stated that she will be the on-site manager. Joe Olson made a motion to grant permission to the Felton Volunteer Fire Department for gaming at Morty’s Bar & Grill, seconded by Dave Owings.

Motion Carried.

**b. Official Designations – Depositories/Official Newspaper/Council Portfolios** – Dave Owings made a motion to accept the Official Depository as Northwestern Bank in Dilworth and the Official Paper for publications and public notices as Clay County Union, seconded by Kimberly Savageau.  
Motion Carried.

Mayor Johnson stated that if any Councilmember would like to be on a Department that he does not have them on to please speak up and he will adjust the Council Appointments.

**Vice Mayor** – Kimberly Savageau.

**Maintenance Department** – Chris Jensen and Kimberly Savageau.

**Fire & Police Department** – Joe Olson and Dave Owings.

**Finance Department** – Kimberly Savageau and Chris Jensen.

**School Board Liaisons** – Dave Owings and Joe Olson.

**HR Committee** – Joe Olson and Chris Jensen.

**Council Representative to FM Metro COG** – Mayor Cecil Johnson and Dave Owings.

Mayor Johnson stated that if Dave Owings would like to stay on the HR Committee with Joe Olson he would be fine with that. Olson asked what will happen concerning the few items that he and Owings were working on from the 2015 year. Owings stated that he will follow that situation through and then Chris Jensen can take over any further HR topics. Olson and Owings will discuss this HR topic and report back to Council with their findings. Kimberly Savageau made a motion to approve the Council Appointments, seconded by Joe Olson.  
Motion Carried.

**c. Ordinance #166 – 2016 Fee Schedule** – Anderson informed Council that a few changes were made to the 2015 Fee Schedule concerning the Flat Rate Permit Fees. Anderson and Steven Schroeder changed the re-siding and window replacement fee to read “*value of project + state surcharge*”, and changed the manufactured homes moved into courts to a flat rate of \$35.00, and also added a new line item for building sprinkler systems for a flat fee of \$75.00. Schroeder explained that building permits amounts are figured off of the 1997 Uniform Building Code Chart which is the same as what Dilworth uses. Anderson informed Council that she researched the variance application, conditional use permit and rezoning application from the surrounding areas and increased the City’s to \$200.00. Savageau questioned what the State Surcharge amount is and who determines the value of the project. Schroeder stated that the State Surcharge is a percentage of .0005 per thousand and the individual/contractor requesting the permit informs the City what the value of the project would be. Schroeder explained that he has tried to increase the permit fee schedule with Dilworth, but do to the close rates that Moorhead has, Dilworth wants to stay competitive. Schroeder informed Council that there are newer fee schedules out there, it is up to each city to decide which one they would like to go by. Savageau explained that when she reads “*value of project + state surcharge*” she takes it as the permit fee is the value of the project plus the surcharge. Council discussed how the re-siding and window replacement reads on the fee schedule and suggested Anderson to adjust it to read “*follow the fee schedule that was established in 2005 + state surcharge*”. Kimberly Savageau made a motion to accept the 2016 Fee Schedule as Ordinance #166, pending the verbiage change under the Flat Rate Permit Fees for the re-siding and window replacement fees, seconded by Joe Olson.  
Motion Carried.

**d. Mileage Rate Reimbursement** – Mayor Johnson informed Council that the mileage reimbursement rate has changed from .575 cents to .54 cents. Kimberly Savageau made a motion to adopted the IRS mileage rate for 2016 of fifty-four cents (\$.54), Owings questioned if the City should adopted a policy that says the City will adjust the mileage reimbursement rate as the state changes it. Owings explained that the company he works for makes the change as the IRS changes. Savageau said she would be fine with that as long as Mr. Norman says it is ok, explaining that the County does approve it every year. Kimberly Savageau made a motion to approve the mileage rate of fifty-four cents (\$.54) for the IRS guidelines for this 2016 year, seconded by Dave Owings. Council requested Anderson to visit with Ken Norman on this topic. Motion Carried.

**e. Review Variance Request at 202 Parke Avenue – Nick Olek** – Nick Olek requested a variance March 8<sup>th</sup> 2012 that would allow for the encroachment of the setbacks and height restrictions for the purpose of attaching a garage onto the structure located at 202 Parke Avenue. Council reviewed the Minutes from the Planning & Zoning Meeting from March 21, 2012 that reads:

*Mr. Olek asked for a variance from the property line on the alley side of 5 feet instead of 10 feet. Building code states a detached garage may be placed 5 feet but Mr. Olek plans to erect an attached garage. He states the set back on the front side will be 18 feet and the height will be 14 feet instead of 12 feet. The City Building Inspector Mr. Roland Holm met with Mayor Johnson and Nick Olek on the property sight and did not feel that the request for this variance would infringe on the Minnesota State Building Code. Council Members reviewed the building plans that had been submitted for the public to view.*

*Council Member David Owings made a motion to accept the variance as presented, seconded by Chris Jensen.  
Motion Carried and the variance was granted.*

Anderson discussed the confusion at hand is concerning the 14' sidewalls, she believes that prior Council thought it was 14' to the peak not 14' sidewalls. Anderson stated on the print that was given to Council in 2012 it does request 14' sidewalls. Anderson informed Council that the building permit has expired. Building Inspector Schroeder informed Council that a permit is good for 180 days and as long as there is progress the Building Inspector can grant two extensions of thirty days each. Olek explained that he works out of town and he had been working with Mr. Holm concerning the time extensions. Olson asked how we proceed now concerning permits that were issued while Mr. Holm was the inspector. Olson stated that he also worked with Mr. Holm and was told as long as he was given a written letter every six months the permit was open. Olson explained that a project could be done in phases that would take longer than the designated 180 days. Owings asked if there are any other permit issues that have not been resolved from when Roland Holm was the Inspector. Anderson is not aware of any. Schroeder explained that the records from the past are not very good, stating he is starting from square one. Schroeder informed Council that the City did not get an ISO rating (International Standards Organization) due to the poor permit filing system. Owings would like to work with Olek in resolving this issue and feels this needs to be looked at by the City Attorney since a motion was made and passed years prior. Council discussed how they interpret the situation and what would be the fairest way to handle this. Schroeder informed Council that he has discussed this with Mr. Olek and has decided that the decision will be up to the Council since it was voted on prior to him becoming the Inspector. Schroeder also mentioned according to the City Ordinance your garage may not be larger than the living quarters. Schroeder explained to Council that the house is 1191 square feet, the proposed one car garage is 300 square feet which

is cold storage at this time and the proposed 2-stall garage addition is 1260 square feet so he is 69 square feet short on his living space. Olson asked Schroeder if Olek changes the 300 square foot spot into living quarters will the issue be resolved. Schroeder stated yes it would. Mr. Olek informed Council that that is his intentions. Savageau stated she does not have any problems with it, it will fit in with the rest of the block. Council discussed other landowners wanting to change the zoning on their properties. Anderson informed Council that they need to be careful with spot zoning in the future. Council asked Olek if it was possible to change the sidewalls from 14' to 12'. Olek would think about the idea but would prefer to stay to what the plans show. Council requested Anderson to visit with Mr. Norman concerning this situation and will discuss this further at the January 27<sup>th</sup> Council Meeting.  
Tabled until January 27<sup>th</sup>.

**f. Stockwood – Original Special Assessed Lot Values/Selling Price Discussion -**

**Nicklaus Request** – Anderson informed Council that she visited with David Drown concerning what the prices of the lots should be sold for in Stockwood. Drown indicated that he would like the City to gain back what they have put into this development. Anderson researched the lots and found what the original assessment amounts were and the amount of interest that has been paid up to February 1<sup>st</sup>, 2016. Enclosed in the Agenda packet is a copy of the lots and prices which are tentatively set for what the City would need to be reimbursed along with what lots are privately owned. Anderson informed Council that the total amount the City should recoup on the lots if sold for original assessment amount plus interest paid is \$1,336,031.00. Anderson informed Council that the cost to have Xcel Energy install the electrical and gas lines are not in these prices. Anderson explained that Xcel may work a deal with the City or the individuals that purchase the lots. Mayor Johnson asked if these amounts are what can be given to people that may be interested in purchasing a lot. Anderson informed Council that these are the amounts that both David Drown and Ken Norman have instructed her to suggest for each lot, they are not set in stone at this time. Olson questioned if the City has looked into their needs for expansion since the City now owns Stockwood. Savageau brought to Council's attention that lot 1 on block 2 was divided in half and the first half was sold and all the specials were put on the back half of the lot which total \$74,853.00. Savageau informed Council that the lot is land locked and will probably have a hard time selling it unless a road was put in. Savageau suggested that the City may want to look at that particular lot for a Maintenance Building to store equipment in due to all the vandalism. Owings asked if the number is reflective of the four plus years the City has paid on this Bond. Anderson stated yes and explained that the City has not paid all the Specials to date. Owings stated that these lot prices reflect a percentage of paid down from what the City has paid? Anderson informed Council that these prices reflect what the assessed value was for each lot and what the interest has been accumulating each year on those lots over the last 6 years. Council discussed the amounts in Outlot A and Outlot B. Anderson informed Council that Outlot B which is the pond was assessed \$25,649.00 which she found odd that the City assessed their own land. Anderson explained that the drawing that was given to her by Ulteig Engineering shows a road that may be added for access onto Highway 10 if a full access is not granted from MN DOT when road work on Highway 10 is done in 2017. This is just the design concept given to her by Chris Thorson not how the land looks from the GPS mapping from the County. Council discussed the possibility of future growth for the City Departments and what options may be available. Savageau likes the idea that the City Hall and Police Department are centrally located in town. Owings stated that the City may want to look into Grants that may be available for future development for the City Departments. Olson feels the City should try and identify a need first of what we are planning for the future then pick a lot. The scope plan the City may want to look into is trying to inquire the lot between the Recycling Center and City Hall and the house located next to the old Water Tower. Karen Kringler was concerned about the fee Relators would

charge the City to sell the lots in Stockwood. Anderson informed Kringler that she has not visited with Relators, it has been Developers that are interested in lots.

Anderson discussed the request she received from Josh Nicklaus concerning a lot he purchased in Stockwood. Nicklaus is looking for a tax break on this lot due to not being allowed to purchase a building permit because the City cannot furnish sewer and water until the electric is installed in Stockwood. Anderson does not recommend the City grant a tax break to Nicklaus as his realtor was notified prior to him purchasing the lot. Savageau stated that she does not think there is anything the City can do at this time and the taxes are only \$194.53 for 2015. The Special Assessments are certified on the property and those need to be paid by the land owner and are on record at the County. Council requested Anderson to contact Mr. Nicklaus and inform him that there is nothing that can be done by the City Council.

**g. Review Nutrition Service's Community Center Lease** – Mayor Johnson would like to conduct further research on how many people are served monthly with meals and would like to wait until Mr. Jensen returns to discuss this topic. Due to a full Agenda for January 27<sup>th</sup>, Anderson requested to have this moved to the February 10<sup>th</sup> Council Meeting. Tabled until February 10<sup>th</sup>.

## **7. Old Business/Unfinished Business**

**a. Smoking Ordinances 178-180 Third and Final Reading** – Kimberly Savageau made a motion to waive the complete reading of Ordinances #178, #179, and #180, seconded by Joe Olson.  
Motion Carried.

Council thanked Jason McCoy for all his hard work in helping the City of Glyndon update their Smoking Ordinances. Savageau requested signs for the parks and other City property that will need to be informative to the residents of Glyndon. Anderson informed Council that a condensed version of the Ordinances will be published in the Clay County Union. Olson would like to see a portion of the newsletter discussing this topic so the residents are made aware of the changes. Jason McCoy will issue a press release also for the Fargo Forum.

## **8. Department Reports / Committee Reports**

**a. Mike Cline, Police Chief** – Not Present  
**b. Bob Cuchna, Fire Chief** – Not Present  
**c. Scott Lofgren, Maintenance/Public Works Supervisor** – Lofgren informed Council that he purchased a 1999 Honda 4-wheeler for the Maintenance Department to be used to spray for mosquitos, water flowers, landscaping and many other uses. State of Minnesota Surplus Equipment contacted him and Anderson by email to inform them of what was available. Lofgren stated that you must respond as soon as possible since they are usually a very good deal. Lofgren gave an update as to the condition of the skating rink informing Council that it was up and running prior to Christmas but with the warm weather it has been hard to maintain at this time. Lofgren talked about the special unit he purchased to spray the water on the ice rink instead of running a hose from the hydrant. At this point the rink is cleaned off with the tractor bucket but what would be nice is if the City could find a used broom to clean off the ice. Lofgren researched and found that the tractor the City has is not powerful enough to use a broom attachment on. Owings stated that he has heard very good comments from residents concerning the skating rink and was wondering if the light is on a timer. Lofgren informed Council that the light timer is set to be on from 4:30 to 9:30 p.m. and if they would like to change it he can call

Red River Electric. Owings asked if the rink is considered a City park and if there are signs stating "No Alcohol Allowed" because broken wine bottles have been found in the area. Affield will make a note in the Newsletter stating the skating rink is considered a City owned park and the rules and regulations also apply there as they do in all the other City owned parks. Lofgren informed Council that he is planning on making a sledding hill this summer next to the skating rink. Council discussed the options of a warming house in the future. Lofgren informed Council that an electrical transformer was placed on the lot for future buildings to hook up to.

**d. Denise Anderson, City Clerk** – Anderson informed Council that she has been working on year end information, Affield has been going through payroll and utility billing to close out the 2015 year. Anderson adopted the 2016 Budget into the Banyon system, W-2's and 1099's are completed along with the new health insurance forms 1094B & 1095B. Anderson has been reviewing bond payments and visited with Lori Johnson at the County concerning the funds that will be paid to the City at the end of January from the purchase of Stockwood. Anderson is working on the 2016 Budget Summary that needs to be turned in for the Legislature to look at and see where the City is spending their money and what their expenses are. Anderson will be visiting with David Drown concerning calculating the TIF reporting and to figure out the dollar amount that needs to be refunded to the County from overpayment to Mr. Sefkow concerning Centennial lots that were decertified. The Eide Bailly Audit will start at the end of February.

**e. Councilman Joe Olson & Kimberly Savageau, Glyndon Improvement Committee** – Savageau stated that the Improvement Committee is planning on having hot chocolate and cookies at the skating rink as an Open House celebration but she is still in the process of figuring out how to run power to keep the hot chocolate warm. Lofgren mentioned that the Maintenance Department does have a generator that can be used. Savageau is looking at January 30<sup>th</sup> from 1:00 to 3:00 p.m. Affield will run it in the January Newsletter and it will be added to the City webpage.

## **9. Additions to the Agenda**

➤ **Rod & Gun Liquor Permit for Fishing Derby on Saturday, January 16<sup>th</sup>** – Kimberly Savageau made a motion to approve the one-day Liquor Permit for the Rod & Gun, seconded by Dave Owings.  
Motion Carried.

**10. Open Forum** – Dave Owings expressed how nice the conversation was between Council Members concerning Stockwood lots and would like to volunteer to contact the individuals concerning the lot between the City Hall and Recycling Center. He would like to see if they would be interested in selling the property in the future. Mayor Johnson will visit with the owner of the home by the old water tower.

**11. Miscellaneous Announcements** – Olek questioned what the property taxes would be on a lot in Stockwood. Anderson informed Olek that it would depend on what was built on the lot. Savageau informed Olek that he can visit with the County to see what the property taxes were in 2015.

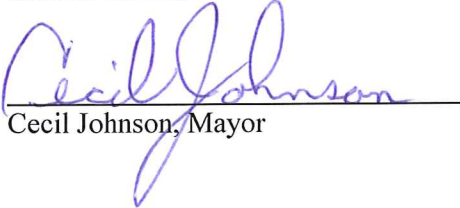
Mayor Johnson informed Council that the Lugo Property that he has been working to have the house removed for the last twelve years will be up for tax forfeit in May. Anderson informed Council that any expenses the City puts into abating the property can be added to the selling price of the lot. Mayor Johnson received a bid from Fitzgerald Construction in 2014 on what the cost would be to remove the house but would like to know if the Council feels the City should purchase the lot, clean up the lot and then sell it or should the City let the land go out for bids at the County Auction. Mayor Johnson does not want to chance someone purchasing it from the County and not cleaning up the lot. Olson and Owings would like to see the situation taken care

of as soon as possible. Savageau suggested that the City remove the house since it has been condemned and then add the Special Assessment onto the property so when the County has their auction the purchaser would be made aware of the Special Assessments and they would have the opportunity to pay them off right away or spread them out over a few years. Owings questioned "if the property has already been condemned, shouldn't the City have the right to remove what was condemned on the property?" Council requested Anderson to visit with Mr. Norman and see what his opinion is on this situation.


**12. Adjournment**

A motion was made by Joe Olson, seconded by Dave Owings to adjourn at 9:03 p.m.

Motion carried.

  
Cecil Johnson, Mayor

  
Denise Anderson, City Clerk/Treasurer

  
Wendy Affield, Deputy City Clerk

January 13th, 2016 Glyndon City Council Minutes