

**Glyndon City Council**

**4/13/2016**

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, Chris Jensen, Joe Olson and Kimberly Savageau, City Clerk/Treasurer Denise Anderson, Deputy City Clerk Wendy Affield, Police Chief Michael Cline, Maintenance Supervisor Scott Lofgren and City Consultant Ken Parke.

**As Per Sign in Sheet:** Adam Altenburg from METRO-COG, Jason Murray from Drown Associates, Jim and Leslie Sullivan, Frank Gross, Terry Sperr, Randy Andreasen, Louis Kuhry and Karen Kringler.

3. **Motion to Approve Consent Agenda**

a. Minutes – 3/14/16 Special Meeting – Stockwood Business Park Zoning  
b. Minutes – 3/23/16 Council Meeting  
c. Motion to Approve Resolution of Payments – Joe Olson questioned charges for Monsanto on Mr. Norman’s Attorney bill, wondering if the City is almost finished with the Annexation process. Anderson stated that she worked with Mr. Norman on finalizing the recordings for the utility easements, stating it was her fault for not producing the correct acknowledgements that were needed to record the documents. Jensen stated that in the Developers Agreement with Monsanto the City will be reimbursed for all expenses concerning the Annexation process. Olson would also like some clarification on Norman’s bill concerning research done with the League of Minnesota Cities. Olson would like to know if this is something that is benefiting the City or is it a matter that needs to be addressed. Anderson stated that she knows nothing about it and will visit with Mr. Norman to see why the City is being billed. Chris Jensen made a motion to approve the Consent Agenda, seconded by Joe Olson. Motion Carried.

4. **Additions to Agenda**

➤ Update on Lyndon Avenue – Joe Olson

5. **Motion to Approve Agenda**

A motion to approve the 4/13/16 Agenda was made by Kimberly Savageau, seconded by Dave Owings.  
Motion Carried.

6. **New Business**

a. **METRO-COG City Zoning Ordinance Public Hearing Decision** – Mayor Johnson requested to move this discussion to later in the meeting.

**b. City Consultant Engagement Contract – Ken Parke** – Chris Jensen made a motion to retain Mr. Parke as the City’s Consultant for the purpose of assisting with municipal government matters, seconded by Kimberly Savageau.  
Motion Carried.

**c. Glyndon Days – Terry Sperr** – Terry Sperr informed Council that the Rod & Gun will not be hosting the Street Dance during Glyndon Days this year. Sperr has visited with members of the Rod & Gun to see if they are still going to do the concessions on Saturday after the parade, but has not been given an answer yet. Sperr discussed the possibility of moving the picnic from Thursday night to Saturday afternoon, but is concerned that it would interfere with the lunch that the Lion & Lioness serve at the Community Center. Sperr informed Council that he would like some feedback from the City on what they would like see happen for Glyndon Days now that the Rod & Gun will not be hosting the Dance. Savageau stated that the Rescue would still have their run on Friday night but everything else will be on Saturday (3 on 3 basketball, pedal pull, parade, and picnic with the inflatables). Jensen mentioned that it is a lot of work to put the concessions and dance together, and it seems to fall on the same people every year, if the Rod & Gun organization would be able to receive more help from other members it would probably still do it. Jensen feels that Sperr has the right idea on consolidating the activities and trying to attract the most people into town on that one day. Olson stated that a solid committee needs to be formed which would include at least one representative from each organization that would like to participate in Glyndon Days (Girl Scouts, Lion/Lionesses, Fire/Rescue, any school organization, Improvement Committee and the City or Police Department). Sperr informed Council that they will visit with businesses in the community for donations, a list will be made up of what is planned and how much it will cost so when they are requesting a donation the business will know what their donation will be put towards. A banner will be put up that day thanking all the Sponsors for their help in making Glyndon Days a success. Mayor Johnson asked if a date has been chosen for Glyndon Days. Sperr stated that he is planning on setting the date back to how it used to be year ago and is written and record in the books; there needs to be a full week in August before a weekend to have Glyndon Days. The tentative date set will be Saturday, August 13<sup>th</sup> 2016. Glyndon Days was changed in the past because of when We Fest fell during the month. Jensen would like to have a planning meeting with the full Council because it is going to take everyone to pitch in to make Glyndon Days a successful event. Owings wants to make sure the City is not overstepping their bounds by insinuating that the Glyndon Improvement Committee needs to help plan Glyndon Days. Savageau stated that they had already decided last year to help with the event. Sperr informed Council that flyers will not be made up this year due to the cost and time it takes to produce and the inflatable games have been booked so that is one item checked off the list.

**d. Resolution 2016-6 Calling Public Hearing on the Establishment of Tax Increment Financing District No. 1-4, and the Adoption of a Tax Increment Financing Plan Relating Thereto** – Mayor Johnson informed Council that he has visited with Mr. Drown and stated that Drown would like to move forward on the TIF process to keep things on schedule and if things do not work out the City may cancel TIF consideration. Jason Murray from Drown Associates informed Council that the process tonight is to pass the Resolution to allow a Public Hearing to be set up which will notify the School District, County and residents that the City is proposing to set up a Housing Development TIF District. The major requirements of the housing district is being income qualified. Jensen asked how many years is the City looking for the TIF District to last. Murray stated that it will be set up according to the statute which is a maximum of 26 years and at Council’s discretion they can approve individual districts within that. Murray informed Council that May 25<sup>th</sup> is the soonest they can plan for the Public Hearing. The steps will be to have the Public Hearing then move into the Regular Council

Meeting which is when the Council would approve the Resolution if agreed upon to establish a plan for the TIF District. Murray also stated that if the Developers Agreement has been finalized they may have another Resolution to approve that night. Jensen would like to make sure that the Council has adequate time to review the Developer's Agreement prior to the meeting on May 25<sup>th</sup>. Murray informed Council that the bulk of the TIF Agreement will need to be sent to the School District and County by April 22<sup>nd</sup> and Drown Associates will have the information to the Council Members for review prior to that date. Anderson asked Murray what happens if the City has not received a Developers Agreement by the May 25<sup>th</sup> Council Meeting, stating will the City have the option to reject the TIF plan. Murray suggested that the Council would want to approve the TIF District to be able to move forward, indicating that all they are approving is designating roughly one hundred and thirty (130) parcels in this TIF District. Any formal relationship as far as the TIF District can be postponed until the City receives and agrees to the Developers Agreement. Jensen informed Council that he has visited with Mr. Drown and Drown feels confident that an agreement will be prepared and sent to the City by Friday. Mr. Sullivan informed Council that he and his wife met with their Attorney and have made a few changes so the next step will be for their Attorney to send revised copies to Drown and Norman for review. Sullivan stated that his Attorney would like to visit with Mr. Drown concerning the Escrow section in the agreement, other than that it was only a few word changes. Dave Owings made a motion to pass Resolution 2016-6 Calling Public Hearing on the Establishment of Tax Increment Financing District No. 1-4, and the Adoption of a Tax Increment Financing Plan Relating Thereto, seconded by Kimberly Savageau. Motion Carried.

**e. Utility Bill Minimum Amount Before Penalties Apply – Denise Anderson –**

Anderson informed Council that in the Utility Billing program if a resident is short on paying their bill for that month, even a penny, they are finance charged. What she would like to see is that the Council raise the balance to ten dollars (\$10.00) before a penalty is applied. Joe Olson made a motion to raise the minimum amount to be ten dollars (\$10.00) before a penalty will be applied to a Utility Bill, seconded by Chris Jensen. Motion Carried.

**f. Application for Charitable Gaming Permit September 12, 2016 – Glyndon Rescue**

**Inc.** – Chris Jensen made a motion to grant the Charitable Gaming Permit to Glyndon Rescue Inc., seconded by Kimberly Savageau. Motion Carried.

**7. Old Business/Unfinished Business**

**8. Department Reports / Committee Reports**

**a. Mike Cline, Police Chief** – Chief Cline informed Council that the Department is sitting at 810 cases since the beginning of the year and are seeing an increase in DWI's. The graphics on the new squad are done and all the equipment is being installed at this time. Chief Cline informed Council that all the software from the County (New World) will be installed into the laptops that are in each squad. Cline stated that he has the E-Citation Subscriber Agreement that needs to be signed by both the Mayor and the Clerk. The FTO program is complete for all the Glyndon Officers and according to the State Statue all reimbursements from the POST Board must be deposited into an account that goes back into the police departments training, not the general fund. Cline already discussed this with Anderson and she will open a separate account for those funds to go into and stay until needed for further training. Owings would like to know if it actually has to be a separate account, can it be just coded differently. Cline stated that as long

as the City can show the State if audited how much has been deposited and used for training it does not matter to him how it is done. Currently the Glyndon PD has 8 vehicles in the impound lot that are waiting to be cleared by the court system before they can be auctioned off. Cline passed out letters that students from the Junior High and Elementary have written thanking the Officers for all their hard work in keeping the community safe.

**b. Bob Cuchna, Fire Chief – Not Present.**

**c. Scott Lofgren, Maintenance/Public Works Supervisor –** Lofgren informed Council that the park shelters have been opened up for the summer, sentence to serve people were picking up garbage around the community, the service pumps for the water tower have arrived, and the painting and underground work for the tower may start in April. Olson asked if the tower will be done by Glyndon Days. Lofgren stated that everything should be done with the exception of removing the old water tower. Council discussed the idea of extending the Community Center parking lot when the old tower is removed. Council requested Lofgren to check on prices for extending and repairing the parking lot at the Community Center. Lofgren will pump the water out of the skating rink if the water does not evaporate in a certain amount of time, the lights have been shut off at that location and the Maintenance Department will be building a hill this summer at that location for kids to slide down.

**d. Denise Anderson, City Clerk –** Anderson worked with Thorson on the PFA Looping Application stating that an issue has been brought to her attention by Mr. Lafontaine concerning the water rate the City charges per one thousand gallons, stating that it is not covering the cost to produce that one thousand gallons. A Water Rate Study will be done and then Mrs. Anderson will inform Council on what the results are. Owings thinks the City has done a Water Rate Study in the past. Anderson stated she cannot find one and Mr. Lafontaine cannot either. Jensen does not believe the City did a formal study, he thinks it was just a survey. Jensen will look back in his paperwork that he has at home. Anderson asked if it was with the PFA or Minnesota Rural Water. Anderson informed Council that the City has had two formal inquiries concerning the Stockwood Addition, she will contact Xcel after the City's Request for Proposal time has expired. Anderson thanked Savageau, Mr. Parke and Adam Altenburg for all their help with the Zoning Ordinance. Anderson stated that at the next Council Meeting she would like direction concerning the 180 days building permit expiration for address 418 2<sup>nd</sup> St SE. Savageau questioned a section in both the old and draft copy of the Zoning Ordinance where it states that the permit can be extended if progress has been made in that 180 days. Anderson informed Council that Mr. Schroeder would like it to state that the building permits are only good for 180 days and then they expire. Savageau questioned, so if a builder comes into town they only have 180 days to build a house? Lofgren stated "that is incorrect, they have longer unless they cease to do any work for 180 consecutive days." Savageau asked if the City has any documentation from Mr. Schroeder that nothing has happened in the last 180 days at that address. Anderson stated that he has been sending documentation. A gentleman in the audience informed Council that the owner has done some work at that residence in the last 180 days but is not sure if you can consider it much progress. Anderson stated that she believes that Mr. Schroeder would like it to state viable or substantial progress. Savageau stated that viable and substantial progress could be interpreted differently by different individuals.

**e. Councilman Joe Olson & Kimberly Savageau, Glyndon Improvement Committee –** Nothing at this time.

## **9. Additions to Agenda**

➤ **Update on Lyndon Avenue – Joe Olson –** Olson reminded Council that the residents were told a meeting would be held in April to inform them on what will be done concerning the issues from the road construction. Jensen would like Thorson to evaluate the road situation and then inform the residents at an open forum as to what the next steps will be to resolve the issues.

Owings asked Thorson at a prior meeting to make sure the contractor is aware that work will need to be replaced. Lofgren informed Council that he has walked the streets in question and has not seen much change from the fall inspection. Anderson will contact Chris Thorson and see when a good time would be for him to look at the streets. Owings stated that he will be working from home next week so he will be available to visit with Mr. Thorson. Olson would also like to be included in this meeting since he has a group of residents that he is visiting with. Owings informed Council that the Performance Bond will be utilized if nothing is finalized on the road repairs.

**10. Open Forum** – A resident from the audience asked if anyone has been inspecting the progress of work at 418 2<sup>nd</sup> St SE. Jensen informed him that the City Building Inspector was checking the progress last fall but it is up to the resident to contact the inspector when things need to be looked at. Jensen requested Anderson to contact Schroeder and see if the footings have been inspected. Anderson informed Council that April 28<sup>th</sup> is the deadline for his Building Permit. Jensen feels the City needs to revisit what the agreement was last fall concerning the accomplishment of this project and discuss what the next step is with the City Attorney. Council will discuss this more at the next Council Meeting.

At this time Council allowed Jim Sullivan to discuss the ideas he has concerning the Centennial Development:

Jim Sullivan and his wife Leslie explained to Council that they visited with their attorney today concerning the Developers Agreement and other than a few word changes it should be ready for the City's review. Sullivan explained that David Drown had a few changes he wanted done with the escrow portion of the agreement, having it read 120% of the costs with the engineers agreeing. Mayor Johnson asked Sullivan to explain to the Council Members the lot size changes that he is requesting. Sullivan explained to Council that he has been visiting with different contractors in the area to see if they would be interested in building on the lots he is developing in Glyndon. According to the information Mr. Sullivan has received from these contractors they would like to divide some of the lots in half to make it affordable for them to build. Sullivan informed Council that due to the high cost of the infrastructure many Developers in the area need to plat smaller lots to recoup the expense. Sullivan has calculated numbers and has come up with the frontage of these lots to be around \$700.00 a linear foot. Sullivan explained that the lots south of the developed portion of Centennial will continue with the size of the lots that are platted at this time but West of that section and South of the holding pond area he would like to split the lots in half which would go from 75' lots to 37 ½' lots. Sullivan stated that Chris Thomsen who owns Thomsen Homes has been building homes in the West Fargo area that are 26 ½' wide on a 37 ½' lot and would like to build some in Glyndon if the City would allow the lots to be split. Sullivan explained his idea of having twin homes or townhomes stationed around the pond location, then the smaller lots that would qualify for TIF reimbursement south of that with a tree or berm row separating the smaller lots from the larger lots to the east. Jensen is concerned about the fire hazard of having the homes so close together and the snow removal issue of not having a place to put the snow. Sullivan explained that Thomsen Homes took a twin home plan and built each half on a lot so that the owner does not have to share an existing wall, the side lots are 5' on each side of the home which does make for a small side yard but you have your own lot. Sullivan stated that in order for the Development to financially work he will need a mix of home styles and sizes. Owings would like to know a ball park figure of what the homes will sell for that Thomsen Homes would like to build on the narrow lots. Sullivan stated that in West Fargo Thomsen is selling the homes for around \$229,000 and is looking at selling them for \$190,000 to \$200,000. Owings questioned the amount a first home buyer can purchase a house for. Sullivan does not know what those figures are, he does know that the price of these homes would qualify under the TIF figure which is a household income not to exceed \$84,000. Jensen asked Sullivan if he was

going to put in all the streets right away or will they be going in with the stages of the project. Sullivan stated that they plan on doing it in phases, starting with 20 lots and as they sell they will move to the next phase. If a Developer says they want 20 lots this year than they will do more if the weather allows. Owings would like to know what Sullivan's priority is, the TIF District or the larger lots where people would like to sell their smaller home in town and build a larger home. Sullivan stated that it is determined by the cost of the pond and the two lift stations that need to be installed. Sullivan informed Council that he needs the TIF District to help finance the non TIF District. Sullivan estimates the project to run around six million dollars once completed. Ken Parke discussed his opinion on the size of the lots and the concerns Jensen has on the emergency response and snow removal. Sullivan stated that he understands and agrees with those concerns but in order for him to move forward with this Development he will need to make a certain portion of the lots smaller. Savageau stated that when the lot sizes were recorded at the County for homes being built in Moorhead she went to the Parade of Homes to see what the house was like that was being built on such narrow lots. Savageau found that the homes were very nice and more spacious than she expected. Savageau mentioned that everyone's life styles are different and there may be individuals that do not want a large yard to maintain but also do not want to live in an apartment building. Savageau would like Council to also take in consideration that once homes are built in the Development that will mean more water hook ups for the City and more water tower monthly charges that will help pay off the tower sooner. Sullivan informed Council that he spoke to the Assistant Fire Chief in Moorhead and was told that they go through a review process in Moorhead with the Fire Departments because the lots have become narrower. Savageau informed Council that if the lots are 37 1/2' x 130' deep that would be 4875 square feet per lot which is not far off of the suggested 5000 square feet in the zoning ordinance. Jensen is concerned about the possibility of even smaller lots being built on. Savageau stated that you would have to have the lot width requirement in the ordinance. Mayor Johnson informed Council that he did drive around Moorhead to look at the Developments that have these narrow lots already built on and feels that if one house is built in the Centennial Development, more will follow. Owings mentioned that he does not like the idea of having smaller lots but does understand there might be a need. Owings questioned if we lower our median household income, stating that this may help to do that so the City can qualify for grants. Jensen informed Council that the first person that owns the house has to qualify for the TIF, if the house is sold to someone they do not have to be under the \$84,000 household income. Savageau mentioned that this Development was platted 20 years ago and things have changed since that time. Savageau would like to change the zoning to density instead of house structure, stating that in the future the City Council will review any other Developments that would come into Glyndon and would be able to decide if they work for Glyndon. Jensen would like to make sure that the Council understands that this zoning ordinance is not just for this Development in Centennial, it is for the whole Community. Jensen also would like to see a section in the ordinance concerning a buffer between the different zoning districts. Anderson asked for clarification concerning the Development, stating that at this time the Development is zoned as R1 Single Family and Sullivan would have to bring the City a plan and request that specific section to be rezoned. Anderson stated that visiting with Altenburg she was informed that Altenburg can add that into the zoning, stating that a change of density must have a buffer provided. Ken Parke did some figuring on what the cost of lots would be at certain sizes expressing that the price is still very reasonable compared to the Fargo/Moorhead area. Sullivan stated that the difference here is that the bill is being paid up front and not placed as Special Assessments for the home owner. Owings would like to know what direction the Council is trying to take with this discussion. Mayor Johnson informed Council that Jim Sullivan is looking at being allowed to make a portion of his lots smaller. Ken Parke stated that the wording to allow that should be added into the Zoning Ordinance at this time if the Council is thinking about allowing smaller lots. Jensen informed Council that we cannot guarantee Sullivan that he will be allowed to change the size of

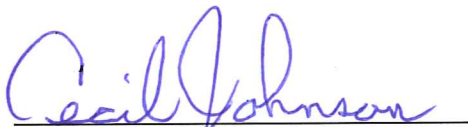



the lots, Council would first have to add it into the ordinance and then the ordinance would need to be read three (3) times before it can be adopted. Savageau would like to decide if the Zoning Ordinance should be changed to include the high, medium and low density over the square footage aspect. Savageau stated that just because the lots are separated does not mean that an individual could not purchase two lots and request from Council to have the lots combined into one tax parcel. Council discussed the Centennial Covenants that were put on the Development by the prior land owner. Ken Parke stated that in the Covenants it states that you cannot subdivide a lot, so he feels that it would be best if Mr. Sullivan replot and rezone the area that is going to be in a TIF District. Mr. Parke would also suggest to have a new Covenant drawn up for that new subdivision. Parke stated that the City cannot enforce the Covenants, but they also do not want to violate them from the City stance. Savageau stated that the Covenants have already been violated when it comes to only being allowed a two stall garage and there are three stall garages located in that Development. Sullivan stated that a building permit is issued on code so the City would not be held liable if they are following State or City Codes. Jensen believes the City should move forward with the density idea being put into the Zoning Ordinance and be able to review the Developers Agreement as soon as possible. Jensen stated that the City will have to have a Public Hearing to inform the residents of this possible change. Olson stated the question is "if the Council is going to allow the lots to be split along with having it included in the Developers Agreement." Savageau stated that the Zoning Ordinance would override a Developers Agreement, so that is where the City would want to make sure everything was stated. Sullivan, Council and Mr. Parke discussed the benefit of replotting and rezoning the subdivision. Savageau stated that the County would require Certificate of Survey for each lot. Council requested Anderson to set up a Special Meeting for Thursday April 21<sup>st</sup> at 6:00 p.m. to discuss the Zoning Ordinance and the Developers Agreement. Sullivan will have his Attorney email a copy of the Agreement to Anderson, Norman and Mr. Drown. Adam Altenburg will wait to make any changes until after the Thursday Special Meeting.


**11. Miscellaneous Announcements –**

**12. Adjournment**

A motion was made by Chris Jensen, seconded by Joe Olson to adjourn at 9:15 p.m.  
Motion carried.

  
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Cecil Johnson, Mayor

  
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Denise Anderson, City Clerk/Treasurer

  
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Wendy Affield, Deputy City Clerk

April 13th, 2016 Glyndon City Council Minutes