

**Glyndon City Council**

**10/12/2016**

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

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 7:00 a.m.
2. **Roll Call:** Council Members Present: Dave Owings, Chris Jensen, Joe Olson and Kimberly Savageau, Deputy City Clerk Wendy Affield, Police Chief Michael Cline, Maintenance Supervisor Scott Lofgren, City Consultant Ken Parke and City Engineer Chris Thorson.

**As Per Sign in Sheet:** LeRoy Brown.

3. **Motion to Approve Consent Agenda**
  - a. Minutes – 9/28/2016 Council Meeting
  - b. Motion to Approve Resolution of Payments – Chris Jensen made a motion to approve the Consent Agenda, seconded by Dave Owings.  
Motion Carried.

4. **Additions to Agenda - NONE**

5. **Motion to Approve Agenda**  
A motion to approve the 10/12/2016 Agenda was made by Kimberly Savageau, seconded by Dave Owings.  
Motion Carried.

6. **New Business**
  - a. **Tax Forfeited Land Discussion – 101 Partridge Ave N** – Clay County informed the City a parcel located at 101 Partridge Avenue North in Glyndon has been listed as tax-forfeited land. The County has requested the City of Glyndon to either approve the parcel(s) for public auction, or auction to adjacent landowners or request a conveyance to your city for public use. Council discussed the options they have to either purchase the lot or let the County auction it off in December. Affield informed Council a Resolution will need to be passed at the next Council Meeting. Kimberly Savageau made a motion to instruct Affield to prepare a Resolution informing Clay County the City of Glyndon authorizes them to auction the parcel located at 101 Partridge Avenue North at the next County Tax-Forfeited Land Auction, seconded by Chris Jensen.  
Motion Carried.

**b. Agricultural Chemical Containment Facilities – Kimberly Savageau** – Kimberly Savageau informed Council the letter enclosed was sent to the City in January but was not brought to the Councils attention.

Summary of the letter:

*MS 272.02 subd. 23 states: "Containment tanks, cache basins, and that portion of the structure needed for the containment facility used to confine agricultural chemicals as*

*defined in section 16D.01 subd. 3 as required by the commissioner of agricultural under chapter 18B or 18C are exempt.”*

*To advise entities of the larger valued properties involved that significant portions of value that had previously been considered taxable will be considered exempt. Preliminary indications are that between the multiple operations in Clay County over 6 million will be coming off the tax rolls for the 2016 assessment (for taxes payable 2017) as directed by DOR. Nothing will be granted retroactively. A proposal that would clarify that the building itself is not exempt was passed by the Senate during 2015 but not acted on by the House. It is expected that the legislature will consider this again in the 2016 session and the changes being made now could very well be reversed but this is an unknown at this time.*

Savageau explained due to the Special Session not happening this did go through so anything that has a chemical containment feature will be tax exempt. Savageau informed Council the fertilizer building constructed by CHS a few years ago will be excluded from the tax roll for taxes payable in 2017. This amount will need to be looked at when working on the 2017 budget.

**c. Miguel Macias – Approve Resignation Letter – Fire & Rescue Department – Dave Owings** made a motion to accept Miguel Macias’s resignation letter from the Glyndon Fire & Rescue Department, seconded by Kimberly Savageau. Motion Carried.

**d. Ken Parke – Development Role – Dave Owings** – Owings informed Council he has five points that he would like to see Mr. Parke perform for the City.

1. Primary contact for Kelly Richard’s Housing Development.
2. Create Sub-Division Ordinance for the City.
3. Create a Petition of the Improvement Documents.
4. Create a Developers Agreement that does not include a TIF District.
5. Create a Document listing steps for New Development.

Owings would like to have these steps in place prior to the new Administrator starting. Owings stated all these documents created by Mr. Parke would need to be reviewed by the City Attorney. Owings informed Council Mayor Johnson, Affield and himself visited with Lisa Jetvig from Hawley concerning the steps they take when working with a development. Jensen asked if Hawley has these steps in place. Affield informed Council she was going to introduce the information she received from Lisa Jetvig concerning Hawley’s developments, developer’s agreements and special assessments at the Council Meeting on October 26<sup>th</sup>, 2016 since she was instructed to keep the morning meetings short. Owings believes the Council needs to define Mr. Parkes roll with the City of Glyndon. Mayor Johnson feels it will be the City Administrator’s responsible to handle those topics. Council discussed the role Mr. Drown has at this time with the City. Jensen suggested Council at least request Mr. Parke to move forward in preparing a Subdivision Ordinance for the City so Kelly Richards will be aware of what is expected when planning his development this winter. Affield suggested the items that were discussed with Lisa Jetvig be tabled until the next Council Meeting. Affield explained Lisa Jetvig was very helpful with documents and information concerning new development, Council should review the information sent from her before moving forward and instructing Mr. Parke to create the documents. Lisa Jetvig’s remark was “why recreate the wheel if you do not need to”. Mayor Johnson informed Council Lisa Jetvig created the Developer’s Agreement herself for the City of Hawley. Savageau would like to see what Jetvig has before moving forward and if Council

chooses to use any of the documents Mr. Parke can help with any changes. Mayor Johnson would like to see this tabled until the next meeting. Jensen asked what direction Council should give Mr. Parke at this time, stating when they requested his services it was mainly to sell Stockwood but has moved into other aspects of City business.  
Tabled until October 26<sup>th</sup>, 2016 Council Meeting.

## 7. Old Business/Unfinished Business

**a. Update on 418 2<sup>nd</sup> St** – Affield read the letter from Mr. Schroeder stating the walls have been poured for the house and the forms were being set up for the garage and entry that will be attached to the house. Mayor Johnson informed Council this was given to the City Attorney to move forward with the next legal step. Mayor Johnson asked Council what they would like to do, let Mr. Norman move forward or wait to hear from Mr. Schroeder. Thorson asked if there is water and sewer lines hooked up to the property. Thorson was informed there is not. Jensen asked if he has a building permit in place, believing his first one would be expired at this time. Affield informed Council Mr. Schroeder is allowing him to move forward with the project. Jensen feels the City should continue with the legal action requested from Norman and if the house is placed on the foundation the process can be stopped. Savageau feels the City needs to stay serious with Mr. Sjothun and make sure the project keeps moving forward in a timely fashion. Chief Cline suggested Sjothun be notified that the City Attorney will be updated with the progress and if Council is not satisfied with the progress Mr. Norman will continue with the legal steps. Mayor Johnson and Scott Lofgren believe it is the Building Inspectors job to make sure the project is completed in a timely fashion. Affield read a remark Mr. Schroeder put in his email *“I will not let this progress slow down, I hope by now Darrell has finally realized this fact. The next step will be getting the outside done. I have already talked to the concrete people about backfilling.”* Jensen discussed the water and sewer hook-up to city services and would like more information as to how this will be done. Thorson informed Council Sjothun will be able to hook up to sewer straight out front of his property once the electrical is installed in Stockwood. Thorson also stated the water hook-up will be simple right out front of his property also. Lofgren informed Council Xcel was supposed to start the electric/gas installation on Tuesday, October 18<sup>th</sup> in Stockwood but they were postponed due to the rain. Council discussed a license contractor will need to do the work of hooking up both the water and sewer to the City’s services for Mr. Sjothun.

**b. Update on Water Meter – LeRoy Brown** – Mayor Johnson discussed the results from the water meter being tested that was replaced at Mr. Brown’s residents. Johnson informed Mr. Brown the results show there was nothing wrong with the meter, he had a leak somewhere in the house. Mr. Brown stated the meter started working after he cleaned out the receptacle that is outside his home. Mayor Johnson stated the water leak went into the sewer line that is why you did not see a large amount of water in your basement or yard. Mr. Brown stated there is no way two old people used that much water. Lofgren informed Mr. Brown it does not have anything to do with how many people were in the home or the age of the individuals, it has to do with a leak that was in the home and was fixed. Lofgren stated the black box outside the house is only a wire connection that transmits the read from the water meter that is hooked up to the water supply in the home so the City can remotely read the meter without having to go into your home every month. Mr. Brown stated he only had a hot water faucet in the bathroom that was dribbling a little. Jensen explained to Mr. Brown you either receive a read or not, the reader does not work, not work and then work again. Thorson explained the amount of water used would be equivalent to a leaky toilet. Mr. Parke stated the leaky faucet with a leaky toilet would account for the amount of water that went through your meter. Council explained to Mr. Brown it is not the City’s responsibility to maintain the plumbing in his home, he needs to make sure the plumbing is

working correctly. Mayor Johnson explained if the Council splits the bill with Mr. Brown that sets a precedence to other residents if they do not like the amount of their bill they will expect it to be changed. Council needs to look at the results from the testing of the meter which states the meter was in working condition and go with that finding. Jensen suggested possibly adjusting the sewer portion of the bill. Savageau discussed the usage months prior to the 62000 gallons, stating May was 7000, June was 9000 and July was 9000 which indicates there was a smaller leak occurring before the large leak happened. Affield stated she also notified Mr. Brown on two separate occasions that he may have an issue in his home and he might want to have things checked out. Savageau feels it is up to Mr. Brown to pay the utility bill he received. Mayor Johnson agrees with Kimberly Savageau, the bill is his responsibility. Mr. Brown made the remark what if he goes and unhooks the water meter, will that irritate some people. After listening to all the information Mr. Jensen feels the same way as Johnson and Savageau. Lofgren reminded Council Mr. Brown had his wrench to shut the water off at the curb stop for 3 weeks before he informed the City they could pick it up. Olson explained to Mr. Brown all the City can go by is the results from the testing of the meter and since those results state the meter was working correctly he has to assume there was a leak in the home. Council decided to leave the bill as it states.

**c. Discussion – Bobcat S590 Skid Steer Loader – 2 Quotes** – Mayor Johnson informed Council two quotes for skid steer loaders are in your agenda packet, one is from Valley City and the other is from Swanson Equipment. Lofgren explained the City would be able to trade the skid steer purchased from Swanson Equipment every year for either \$1000 or \$2000 depending on how many hours were used. Lofgren informed Council the State Bid allows the City to receive thirty percent (30%) off the original price. Savageau asked if the attachments would stay with the City or go with the machine. Lofgren stated the attachments stay with the City. Lofgren informed Council with this program you always have a warranty with the new machine and should not have the maintenance expense if you purchased a used one. Mayor Johnson asked if the City has the funds this year to purchase the skid steer. Affield passed out a sheet during the prior budget meeting of possible accounts Council may look at that still have funds that could be used. Affield informed Council if they decide to purchase the skid steer a cab package would also need to be included which would either add \$6,851.60 or \$4,315.50 to the loader price of \$28,646.80. The bucket attachment and broom attachment would also be an added cost. Owings had suggested at the budget meeting the possibility of using funds the City has saved by not having a Clerk/Treasurer at this time. Affield mentioned the engineering costs Savageau discussed at the budget meeting also need to be taken into consideration when looking at the 2016 budget figures. Owings would like to see it purchased this year and will discuss it further during the budget meetings. Council thinks it would be best to go with the new machine over a used machine because of the trading program available.  
Tabled until the October 26<sup>th</sup>, 2016 Council Meeting.

**d. Audit Bid from Brady, Martz & Associates – Brian Opsahl** – Affield informed Council she and Mayor Johnson participated in a conference call with Brian Opsahl concerning a quote for auditing services. Mr. Opsahl presented Council with a three year audit engagement which would be \$12,500 for 2016, \$12,850 for 2017 and \$13,200 for 2018. Affield informed Council the City paid Eide Bailly \$13,400 for the 2015 audit. The contract City of Glyndon has at this time with Eide Bailly for any services needed while the Clerk position is vacant runs \$175.00 per hour as to Brady, Martz & Associates would charge \$125.00 per hour for any additional services not included in their audit package. Jensen asked if the total the City has paid so far to Eide Bailly include any extra hours. Affield responded that it does not. Jensen stated he looks at the exclusions in bids, you need to make sure the bids are the same when comparing. Affield informed Council when visiting with Lisa Jetvig from Hawley, she stated they use Brady,

Martz & Associates out of Thief River. Owings brought up a few points in the bid concerning *“the fees above assume that the accounting records are properly adjusted at year end and are ready for audit”*. Owings question is are they going to charge for each audit adjustment. Mayor Johnson will ask. Savageau asked if Council has a proposal from Eide Bailly. Affield will need to look. Ken Parke remarked journal entries are very time consuming so you would want to make sure the proposals are compared apples to apples reminding Affield of all the journal entries she stated she needed to do for 2015. Affield informed Council some of the entries were ones that Mrs. Anderson did not do in 2014, there should not be that many entries normally. Mr. Parke does not want the City to have any surprises if they decide to switch firms. Owings stated the City has a running history with Eide Bailly and with a new Administrator coming in the future to the City we should make sure things are stable and in place for the employee. Affield informed Council this is just for informational purposes. Mayor Johnson reminded Council they requested him to check into another auditing firm.

**e. Discussion – Administrator Position** – Dave Owings informed Council Chris Thorson contacted him yesterday to let him know the City Administrator from Twin Valley resigned and is interested in trying to improve her career. Owings would like to discuss having Ken Parke contact existing City Administrators/Clerks, he knows Mayor Johnson was uncomfortable having this come from City Hall but feels this person maybe would have been part of our pool if this process would have been done. Mayor Johnson stated the job announcement was in the Forum, on the League of Minnesota Cities and many other websites to where this person could have applied for the job. Olson asked Council if they would like to hire the individual that was interviewed or try the application process again. Chief Cline suggested Council let the gentlemen that was interviewed know he was the only one who stayed in the running out of the three finalists chosen, stating he presented himself very well at the interview but the City would like to have someone to compare him to. Council discussed the applicant that was interviewed and what the next steps the City should take in this hiring process. Council discussed David Drown’s offer for helping the City find someone for the position. Mayor Johnson thought it was a student right out of college. Council is looking for an individual that has some years of experience in administration. Affield informed Council she has received calls from candidates that have applied and have not been interviewed and feel they should be sent a letter thanking them for their time if Council is not going to consider them. Ken Parke suggested to send emails to the list of Cities that are in the same salary range and size as Glyndon, put the advertisement for the job back on the League of Minnesota Cities website, the City’s website and a few organizations for management that he has researched. Lofgren informed Council Minnesota Water also has a website for job announcements. Council discussed keeping the application process open until Monday, October 31<sup>st</sup>, 2016. Jensen stated if any prior applicants call Affield is to inform them that a decision has not been made yet. Affield asked “even the first initial candidates.” Council stated technically a decision has not been made at this time. Affield was instructed to inform Mr. Schultz of the next step the City will be taking. Council discussed what is more important to them in a candidate and what can be taught while in the position. The application review committee will review the applications as soon as possible to make sure the process moves forward in a timely fashion.

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

- a. **Mike Cline, Police Chief** – Nothing at this time.
- b. **Bob Cuchna, Fire Chief** – Not Present.
- c. **Scott Lofgren, Maintenance/Public Works Supervisor** – Nothing at this time.
- d. **Wendy Affield, Deputy City Clerk** – Nothing at this time.
- e. **Councilman Joe Olson & Kimberly Savageau, Glyndon Improvement**

**Committee** – Nothing at this time.

**f. Ken Parke, City Consultant** – Ken Parke informed Council the League of Minnesota Cities Hiring Reference Manual states a law was passed in 2009 that prohibits public employers in Minnesota from asking for information related to convictions on the employment application form. Parke suggested removing the two questions on the City's job application form. Parke informed Council due to the change with the Developer for the Centennial Addition a TIF District will no longer be considered. Parke suggested the City may want to consider a 2-year tax abatement for the lots that will be developed, explaining the homeowner will pay their property taxes to the County and either at the end of the year or beginning of the next year the County would return the portion of the property taxes the City would have received to the homeowner. Parke asked if the Council would like him to prepare a Resolution for the next meeting for a 2-year tax abatement. Mayor Johnson informed Council the Superintendent for the DGF School District also contacted him concerning the 2-year tax abatement. Mayor Johnson stated at this time the City of Glyndon does not have any lots available to build on so is it necessary to pass a Resolution. Savageau informed Council the School District has not opted into the tax abatement at this time. Parke explained the situation Dilworth area has been working through with Moorhead over the last few years. Parke informed Council the process would need to be in place the year prior to the building season. Savageau stated the City will need to look at how they want to do this, explaining some cities start the abatement when the building process starts and some start after the home is completed. Savageau explained if the City decides to go with the process starting after the home is completed, it would mean any home built in 2017 would not be taxed until 2018, so the City would be able to make sure everything was in line for the 2018 year. Parke stated you are better off waiting until substantial or final completion of the project to receive the best abatement amount. Savageau informed Council she has a copy of the Resolution that would be needed for the tax abatement process. Savageau explained the County Board has to pass this every year and so the City has until the end of the year for it to be in effect for the 2017 year. Savageau explained if the County's budget cannot support the tax abatement it may be taken away. Parke informed Council this 2-year tax abatement would be available to any new residential housing developer that did not use a TIF District. Savageau asked Ken Parke if he is saying the DGF School District will be participating in the 2-year tax abatement if the City of Glyndon does. Parke discussed the trading of land with Moorhead and how the School District wants this abatement to be an opportunity for both cities. Savageau asked if special assessments are included in the abatement. Mr. Parke stated they are not. Parke informed Council Mr. Richards talked about the possibility of petitioning this year and hopefully will start bidding the project out this winter or early spring. Savageau will email Affield a draft copy of the Resolution she received from the County to add to the next agenda for review.  
Tabled until the next Council Meeting on October 26<sup>th</sup>, 2016.

**Chris Thorson from Ulteig Engineering -**

Mayor Johnson asked Thorson if he received the complaint at 1012 Lyndon concerning the damage done to the yard. Thorson stated the yard will be repaired. Chris Thorson informed Council the punch list for Lyndon, Lund & 9<sup>th</sup> has been completed by KPH Construction. Olson would like Thorson to request a compensation of some sort from KPH for the homeowner that had the wing of their driveway damaged and then removed. Olson feels the homeowner was misled at the time a decision was to be made. Thorson was not happy to hear the homeowner may have been misled with this situation. Olson stated the issue should have been brought to the City's Engineer's attention, not handled between the homeowner and the party that caused the damage. Mayor Johnson informed Council a resident who lives on Lyndon stopped into City Hall and stated he was happy with the street.

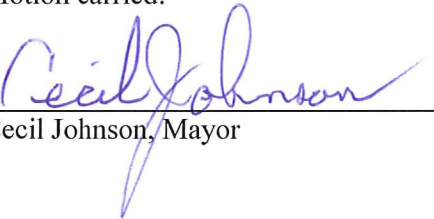
Dave Owings requested a copy of the checkbook balance for the Budget Meeting on the 19<sup>th</sup>. Affield stated it is completed and she will have it at the meeting.

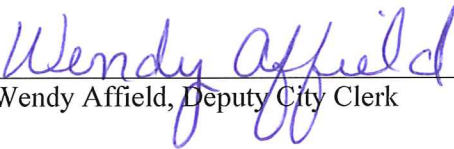
**9. Open Forum –**

**10. Miscellaneous Announcements –**

**11. Adjournment**

A motion was made by Chris Jensen, seconded by Kimberly Savageau to adjourn at 8:30 a.m. Motion carried.

  
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Cecil Johnson, Mayor

  
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Wendy Affield, Deputy City Clerk

October 12th, 2016 Glyndon City Council Minutes