

**Glyndon City Council**

**12/14/2016**

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, Deputy City Clerk Wendy Affield, City Attorney Ken Norman, Police Chief Mike Cline, Fire Chief Bob Cuchna and City Engineer Chris Thorson.

**As Per Sign in Sheet:** Justin Schreiber, Kelly Richards, Austin Sullivan, Troy Tooz and Ken Parke.

3. **Motion to Approve Consent Agenda**

- a. Minutes – 11-16-16 Council Meeting
- b. Minutes – 11-28-16 Council Meeting
- c. Motion to Approve Resolution of Payments – Joe Olson made a motion to approve the Consent Agenda, seconded by Chris Jensen.  
Motion Carried.

4. **Additions to Agenda**

➤ None

5. **Motion to Approve Agenda**

A motion to approve the 12/14/2016 Agenda was made by Kimberly Savageau, seconded by Dave Owings.  
Motion Carried.

6. **New Business**

**a. 2017 Elected Council Members Oath of Office** – Justin Schreiber stood, raised his right hand and read the Elected Oath of Office:

*I, Justin Schreiber do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Minnesota, and that I will discharge faithfully the duties of the office of Council Member, in the City of Glyndon, the State of Minnesota, to the best of my judgment and ability. So help me God.*

Council Member Joe Olson was reelected for his seat, he stood, raised his right hand and read the Elected Oath of Office:

*I, Joe Olson do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Minnesota, and that I will discharge faithfully the duties of the office of Council Member, in the City of Glyndon, the State of Minnesota, to the best of my judgment and ability. So help me God.*

Mayor Cecil Johnson was reelected to his seat, he stood, raised his right hand and read the Elected Oath of Office:

*I, Cecil Johnson do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Minnesota, and that I will discharge faithfully the duties of the office of Mayor, in the City of Glyndon, the State of Minnesota, to the best of my judgment and ability. So help me God.*

**b. Approving Gaming Permit – Glyndon Rod & Gun for January 21, 2017 at the Community Center** – Dave Owings made a motion to approve the gaming permit for the Glyndon Rod & Gun for January 21, 2017, seconded by Kimberly Savageau. Motion Carried.

**c. Approving Application & Permit for 1 Day Temporary On-Sale Liquor License for January 21, 2017 at the Community Center – Glyndon Rod & Gun Club** – Joe Olson made a motion to approve the 1-day temporary on-sale liquor license for the Glyndon Rod & Gun for January 21, 2017, seconded by Chris Jensen. Motion Carried.

**d. Resolution 2016-25 Tax Levy Payable in 2017** – Dave Owings made a motion to approve a three percent (3%) tax levy increase payable in 2017, seconded by Joe Olson. Motion Carried.

**e. Accept Resignation from Taylor Berg – Glyndon Police Department** – Chief Cline informed Council Taylor Berg has accepted a job with the State Patrol and his last day with the Glyndon Police Department will be December 31, 2016. Chief Cline stated Mr. Berg has 21 DWI arrests this year and was an asset to the department, he will be missed. Chris Jensen made a motion to accept the resignation from Taylor Berg as a Glyndon Police Officer and thanked him for the year of service, seconded by Kimberly Savageau. Motion Carried.

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

**a. Schedule Public Hearing for 1-Mile Extraterritorial Jurisdiction** – Affield informed Council Ordinance #183 has had two (2) readings and will need to have a Public Hearing prior to the 3rd and final reading. Council scheduled the Public Hearing for Wednesday, January 25<sup>th</sup>, 2017 at 6:30 p.m. in the Council Chambers prior to the Council Meeting.

**b. 2<sup>nd</sup> Reading of Ordinance #184 – Subdivision Ordinance** – Kimberly Savageau informed Council she has visited with Mr. Norman and would like a few items changed. When it comes to the letter of credit she feels an amount should not be stated and would like Norman to reword that section on page 43. Norman stated a few words will also need to be changed for flexibility with new developments, the “park board” wording should be changed, and the width of the streets will change from eighty feet (80’) to sixty-six (66’). Savageau stated she would like to see a long term plan put in place with all parks in the City limits for replacement and upgrading equipment. Council discussed the possibility of starting a park board within the City and how they would advertise for volunteers. Norman suggested Council not include a specific percentage of higher density lots allowed in a development, the developer should come to Council for approval as each development will be different. Olson asked if that means the Council will decide how many high density lots will be allowed in the development. Norman agreed. Jensen asked if Council should proceed with the 2<sup>nd</sup> reading or should the changes be made first.

Norman stated you can do the 2<sup>nd</sup> reading and still make changes prior to the Public Hearing/3<sup>rd</sup> and final reading. Kimberly Savageau made a motion to waive the complete reading of Subdivision Ordinance #184 and accept this as the 2<sup>nd</sup> reading, seconded by Joe Olson. Motion Carried.

**c. Schedule Public Hearing for Subdivision Ordinance** – Council scheduled the Public Hearing for Subdivision Ordinance #184 for Wednesday, January 25<sup>th</sup>, 2017 at 6:00 p.m. in the Council Chambers prior to the 1-Mile Extraterritorial Jurisdiction Public Hearing and Council Meeting.

**d. General Project Update from Ulteig Engineering – Chris Thorson** – Thorson discussed the water looping project that was bid out last year to coincide with the work on Highway 10 in 2017 and Parke Avenue in 2018. Thorson stated the project was put on hold due to the Bonding Bill not passing in 2016 but there is the possibility of a Special Session happening next week. If the City was to receive a grant for the project it would pay eighty (80) percent with only 20% the City would be responsible for. Thorson informed Council he received a call from Hough Construction who received the low bid on the project, stating they would honor the bid if the project moved forward in 2017. Thorson will keep Council informed if a Special Session is held and keep in touch with MNDOTS scheduling of the upcoming project.

**e. Kelly Richards Development Discussion** – Affield made copies for Council of the current preliminary plat Mr. Richards has for the Centennial Development he is looking at starting this spring. Richards informed Council on this new plat the park has been left where it was dedicated years prior and those lots have been added to the cul-de-sac area. Kelly Richards and Jim Sullivan's Engineer Troy Tooz explained Mr. Sullivan would like to rezone 8.45 acres from R1 to R2 and gave the rezoning application to Kimberly Savageau. Tooz stated the Developer's Agreements for both Sullivan and Richards should be finalized for review later this week. Jensen asked if they will be combined or separate agreements. Richards stated they will be separate but yet read close to the same. Savageau requested the second dedication page of the plat from Mr. Tooz. Mr. Norman asked "do we know what the terms and conditions of the Development Agreement are", informing Council he visited with Mr. Shockley today and it seems certain items still need further attention. Norman discussed the possibility of Mr. Sullivan using a TIF for his portion of the development and understands Mr. Richards will not. Mr. Tooz stated he believes Mr. Sullivan will also do the special assessing process as Mr. Richards plans to do. Austin Sullivan informed Council the plan was too special assess at the same time. Ken Norman informed Council he has visited with David Drown and Ken Parke and feel they are coming closer to a proposal to present Council for the bonding portion of the project improvements. Norman stated it is hard to figure what the City can afford when the engineering costs have not yet been figured. Ken Parke discussed a Feasibility Study will need to be done in order to know what the numbers will be for the installation of the infrastructure. Norman stated Council will need to order the Feasibility Study from the City Engineer and the fees can be assessed in the cost of the project. Once the study has been completed the figures would be given to the City Financial Advisor so he can determine if the City is able to move forward with this project. Ken Parke discussed the security portion of the agreement along with the deferral of special assessments Kelly Richards is requesting stating, Mr. Drown will be contacting Council with his ideas. Parke would like to see this preliminary plat approved so it can be recorded by the end of the 2016 year because of additional costs that will accumulate for the Developer. Norman stated due to this being a subdivision the taxes would have to be paid all up front prior to the project starting instead of the regular two payments of May and October. Jensen wants to make sure Sullivan understands if he special assess his portion of the development he will have to go through a bidding process for the installation of the infrastructure that will be installed, he will

not be able to do them himself. Tooz stated Mr. Sullivan is aware of that. Norman stated the financing package Drown is preparing will include deferrals and he knows some of the Council is not acceptable to deferring special assessments. Norman has requested Drown to provide Council with a spreadsheet indicating availability of monies for other bond issues coming due or finalizing during these deferral periods. Norman stated the Preliminary Plat needs to be approved, Sullivan and Richards need to finalize their deal with the ownership of the land, the Council needs to be petitioned to begin the process of the improvements, and then Council can request the Feasibility Study from the City Engineer. Once the numbers are figured the Developer's Agreement can be finalized with the information needed. Olson asked what the process was for the plat to be approved by Council. Savageau stated the steps that need to be taken are a preliminary plat review by Council, rezoning Public Hearing, vacating of streets Public Hearing, final plat Public Hearing, fees paid for all the steps that need to be done. Jensen asked if the Public Hearings can be combined to save time. Savageau stated you can but you need publications to be printed 10 days prior to the hearing. Norman stated you need a two (2) week publication notice for street vacating and written notice to each affected party. Savageau informed Council the County will not record a plat if the City has not signed off on the Final Plat. Parke asked who the City uses for their publications. Affield stated Clay County Union and they only print once a week. Council discussed making sure they have two (2) papers next year for their publication notices. Savageau asked Tooz if he had any changes to the preliminary plat he may want to talk about, she does not feel this is ready to be approved as it stands. Tooz stated no he does not have any changes. Norman asked where the access is for residents and City employees to reach the pond area. Savageau would like to know where the easement for drainage is from the east to the west of the two developments or the drainage on the north side of the addition. Tooz stated they will provide access easements if needed on the final plat. Savageau informed Tooz it would be nice for the City Engineer to be able to review those prior to the Final Plat. Savageau asked about the issue with lot number two (2) where the dead end street is located on the plat, reminding Tooz of the prior discussion at the Planning Committee Meeting. Savageau explained if the lot stays in that location the street may not be a dead end street because you will need a place for snow plows, garbage trucks and school buses to turn around. Council suggested to schedule another planning meeting to discuss the items the City requires on the preliminary plat. Jensen asked if it is possible to pass everything that needs to be passed before the end of the year so Mr. Richards can record the plat. Council discussed options that can be taken to help move this project forward in a timely fashion. Savageau would like to talk further as a Council the issue with closing 14<sup>th</sup> Street, stating Maintenance Supervisor Scott Lofgren, Fire Chief Bob Cuchna and Police Chief Mike Cline are not in agreement with closing the street. Norman informed Council the ideas and concerns that were discussed during the Planning Meeting, stating the biggest discussion was concerning the park area that is dedicated to the City "forever". Norman asked both engineers when the latest time would be for a developer to want to bid a project for a fair estimate. Tooz stated middle of January, end of December. Thorson stated usually by March. Parke stated advertising for bids is a three (3) week process. Richards stated his forty (40) acres will be done in two phases. Thorson stated he feels the road should stay open on 14<sup>th</sup> Street. Richards feels the City is taking land away from him if they make him keep that open and he does not want the traffic, he wants a quiet neighborhood. Savageau informed Richards when you do a development you leave open accesses for future development like Sullivan has drawn on his section of the development not like his side where there is no future growth outlets. Jensen is concerned with the parking on 14<sup>th</sup> Street, he feels something needs to be done with the old section if the road stays open. Tooz informed Council Mr. Richards would like this to be an upscale, stand-alone, signature development for Glyndon. Mayor Johnson scheduled another planning meeting for Tuesday, December 20<sup>th</sup> at 2:00 p.m. in the Council Chambers. Jensen asked what rights does the developer have, how can the City tell them what they can or can't do with their land. Norman informed Council the developer does have rights

but in order for a developer to have a subdivision they must comply with whatever the City wants in terms of the orderly development of that piece of property. Norman stated by statute there are certain steps that need to be taken for a plat to be approved. Savageau added that 14<sup>th</sup> Street is not owned by Mr. Richards, the City owns that section of land, and the streets were already dedicated to the City when the plat was recorded all those years ago. Norman stated you can replat and vacate streets but you cannot with the land that is dedicated for a park. Savageau asked if Sullivan has been made aware of what issues will arise with lot number two (2) if the road does not extend through. Tooz has not discussed that topic with Mr. Sullivan at this time. Savageau stated this is a mood point at this time, until Mr. Sullivan is notified and a decision is made as to what can be done with that lot. Norman informed Richards and Tooz he also will need to sign off on the plat concerning the title opinions and he has not seen any title work done on this time. Ken Parke discussed what things need to be changed and addressed to move the project forward. Council scheduled a Public Hearing for Wednesday, December 28<sup>th</sup> at 6:00 p.m. in the Council Chambers for the Preliminary Plat Review.

**f. Update on 418 2<sup>nd</sup> Street** – Affield discussed the emails from Mr. Schroeder stating the house mover is supposed to be in town the week of December 26<sup>th</sup>, 2016 to set the house and the garage. Jensen asked about the vehicles parked on the property. Chief Cline informed Council if you are going to request vehicles to be moved from that lot you also need to address other areas in town. Cline stated, when the Council is ready to commit to starting the process he will move forward. Council decided to wait until spring clean-up week due to the snow coverage.

**g. LeRoy Brown Utility Bill Discussion** – Decided not to discuss with Council.

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

**a. Mike Cline, Police Chief** – Cline informed Council the department has 2716 calls for the year, part-time officer Brandon Boe has completed his FTO program and is covering shifts on his own, the new ARMER radios were installed in the squads. Cline informed Council his department will be receiving cash from a narcotic case that will be deposited in his restricted savings account. Cline and his two full-time officers will do the “Shop with a Cop” program this year and have three children that will be treated to supper at McDonalds and taken to Walmart to purchase gifts for their families. Cline requests Council to approve Bryan Praska as a new Full-time Officer for the City of Glyndon Police Department starting in January 2017. Chris Jensen made a motion to hire Bryan Praska as a Full-time Officer for the City of Glyndon, seconded by Joe Olson.  
Motion Carried.

**b. Bob Cuchna, Fire Chief** – Cuchna would like to thank Scott Lofgren for twenty-six years of service on the Glyndon Volunteer Fire Department. Cuchna discussed Bryan Green’s visit with Council concerning the ARMER radio system and wish he would have been informed of the visit. Cuchna discussed the radio system both the fire department and law enforcement departments need to be using by the end of 2017 and how the City was not able to receive a grant due to the age of their current radios. Cuchna has been researching the costs of the radios and would like to purchase them all at one time. Council discussed the options with purchasing the radios now and losing the discount if you purchase them later. Savageau thought the Council put funds in the restricted savings last year to use towards these radios. Ken Norman discussed the Township contracts and wondered if they were still in place. Cuchna stated the Townships are billed yearly. Cuchna stated the pagers are on order and will be programed in January.

**c. Scott Lofgren, Maintenance/Public Works Supervisor** – Not Present.

**d. Wendy Affield, Deputy City Clerk** – Nothing at this time.

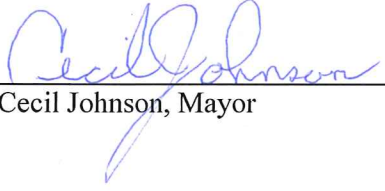
- e. **Councilman Joe Olson & Kimberly Savageau, Glyndon Improvement Committee** – Nothing at this time.

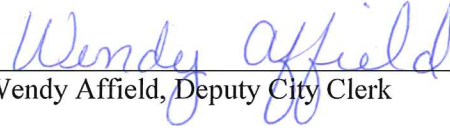
9. **Open Forum** –

10. **Miscellaneous Announcements** – Mayor Johnson informed Council the skating rink has been filled by the Maintenance Department.

11. **Adjournment**

A motion was made by Chris Jensen, seconded by Joe Olson to adjourn at 8:58 p.m.  
Motion carried.

  
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Cecil Johnson, Mayor

  
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Wendy Affield, Deputy City Clerk

December 14th, 2016 Glyndon City Council Minutes