

Glyndon City Council
2/25/2015

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

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: City Clerk Denise Anderson, Deputy City Clerk Wendy Affield, Police Chief Michael Cline and Lori Vanderhider from MN DOT.

As Per Sign in Sheet: Karen Kringler and Brad Rivers.

3. **Motion to Approve Consent Agenda**
 - a. Minutes – 2/11/2015
 - b. Motion to Approve Resolution of Payments – A motion to approve the Consent Agenda was made by Joe Olson, seconded by Kimberly Savageau.
Motion Carried.

4. **Additions to Agenda**
 - NONE

5. **Motion to Approve Agenda**

A motion to approve the 2/25/15 agenda was made by Kimberly Savageau, seconded by Joe Olson.
Motion Carried.

6. **New Business**
 - a. **MN DOT – Lori Vanderhider** - An updated preliminary map of Highway 10 from MN DOT was hung in the Council Chambers. Lori Vanderhider informed Council Members that after testing was completed on the overlay of Hwy 10, which came back as a 3.9 rating with 4 being the best, the project has taken a different direction. The pavement will be preserved which will be a substantial cost savings to the project. It will become a retrofit project with removing the center fourteen feet and then replacing the center medians to include left turning lanes. Curb and gutter will not be part of the project since a reconstruct is no longer suggested. Due to where the elevation of the road is at this time, installing curb and gutter would cause water drainage issues so shallow ditches will be installed. Council explained to Vanderhider the concerns the City has with not adding the curb and gutter that was discussed years prior. The Council does not want any land owners along Hwy 10 to have water issues on their property. Vanderhider indicated that the drainage portion of the project still needs to be discussed by MN DOT and the curb and gutter that is already located on some sections of the roadway will be replaced but no additional curb and gutter will be added. Vanderhider pointed out that a sidewalk will run from Parke Avenue to Andrews Avenue on the South side of Hwy 10. Joe Olson suggested to add a sidewalk on Parke Avenue North of Hwy 10. After further discussion Council believes a sidewalk at that location is necessary to allow the children a safe route to school. Vanderhider stated that the cost of adding a sidewalk at that location would be approximately \$7000.00. An agreement would need to be drawn up stating the City of Glyndon would be responsible for the additional sidewalk added to the project. Olson is still working on pursuing a grant to help with

Safe Routes to School. Vanderhider stated a decision will need to be made if the Stockwood entrance should stay how it is designed on the preliminary layout with the City installing a gravel road from Stockwood to 110th St. (contingent on the access into Stockwood), or removing it and leaving the entrance as it is located now going onto 110th. MN DOT will not allow openings at both Stockwood and 110th St. due to the closeness of the entrances. After further discussion the Council cannot go ahead with the Stockwood entrance as the City does not own any land that would allow them to furnish a road for the residents that live on 110th Street. Anderson asked if MN DOT would talk to Stockwood owners and the Township about the entrance and the gravel road that would have to be constructed contingent on the access into Stockwood. Vanderhider does not believe that MN DOT would take the time to talk as the entrance does not benefit them. Olson asked what the cost sharing portion will be for the drainage situation. Vanderhider stated that the cost share will be minimal for the City due to the curb and gutter being removed from the original project. Mr. Owings expressed his concerns with the deletion of the curb and gutter and questioned when the project changed so much. Owings remembers the meetings that informed the Council Members that Hwy 10 was due for reconstruction as the road was in such bad shape. Mayor Johnson, Joe Olson and Dave Owings remember that during prior meetings they were told the road was not in good condition so the question to Mrs. Vanderhider is when and why has this project taken such a drastic change. Vanderhider responded with that it was hard to justify financially to do a reconstruct because the road has held up so well. According to the stages of the project Mrs. Vanderhider feels the project will move forward as it is presented tonight other than the questions she asked concerning the entrance at Stockwood and the additional sidewalk. Lori Vanderhider informed Council Members that MN DOT will meet on Friday February 27th to talk further about the layout and the drainage situation. Mayor Johnson stated he would like to talk with the MN DOT committee again after the meeting on Friday to address his concerns about the deleting of the curb and gutter. The next step MN DOT will take is to contact land owners to keep the project moving forward. Information will need to be given to Mrs. Vanderhider in regards to any utilities that run under the Highway. Olson questioned when the City would need to have their funding in place for the project. Vanderhider responded that the project would go out for Bids November of 2016 and she will know more later on the cost share amount the City would be responsible for. Olson questioned who is responsible to maintain the ditches on Hwy 10. Vanderhider informed Council Members that the State will be responsible but if they want them to be manicured, it will be the responsibility of the land owner or the City. Vanderhider will work with others from MN DOT to set up a meeting to discuss the concerns that have been brought to her attention or she will come to the March 11th Regular Council Meeting at 7:00 a.m. with hopefully new answers to the Councils questions.

b. Overview of Data Practices Seminar – Denise Anderson – Handed out a packet from the conference she attended in regards to “Data Privacy Practices” and what is and isn’t public knowledge. Attached to the back sheet is a Resolution that the League of Cities recommends the City to adopt in regards to the Minnesota General Records Retention Schedule.

A few highlights Anderson pointed out to Council Members are:

1. The City’s Compliance Official should be the City’s Attorney.
2. If “Data” is inexistent at the time of request – the City is not responsible for providing that data. Standard request time to receive data is 10 days.
3. All personnel data is presumed private. Request for any personnel data must be in writing to avoid confusion of any verbal request.
4. Suggest having a dumb terminal at the City Hall – where the City would put the information on a flash drive and the individual could review it on the extra terminal.
5. Utility Billing data is considered “private”. Landlords cannot get tenants payment info unless you have it in writing from the tenant.

6. The City can charge for copies and an hourly rate for research time it takes to find the information requested. Prepayment may be requested.
7. Releasing any type of Police data – check with the City Attorney.
8. The City must have taken measures to protect “not public” data – Firewalls and encryption of the computers.

Anderson will start working on adopting a City Retention Schedule for the City’s records. Owings asked if there is a time line that this process needs to be completed by. Anderson will need to check with the League of Cities as a time line was not given at the conference. Anderson and Affield will categorize and file the data or destroy it if it is outdated according to the guide lines from the LOMC. A record must be kept concerning any information that is destroyed. Anderson informed Council Members that as long as we are making the effort to move forward the Auditors and the League of Cities understand it will take some time to implement this program.

c. Monsanto Annexation Tele-Conference Update – Anderson discussed the teleconference meeting Monday morning with Monsanto which also included, Kimberly Savageau, Dave Owings, Cecil Johnson, Ken Norman, David Drown, Steven Schroeder and Scott Lofgren. The meeting was to discuss the possibility of Annexing Monsanto into the City limits and also the option of TIF consideration. Monsanto is in the process of creating a petition to present to the Council for Annexation, they would like water and sewer services for their new building. Anderson was informed during the meeting that the City of Glyndon would benefit not only from the sewer and water revenue but also from the tax base. The City would have to petition the Township for an Orderly Annexation to bring Monsanto into the City Limits. Mayor Johnson has contacted a Township member to inform them of the situation Monsanto would like to pursue. The Glyndon Township will meet on Tuesday March 10th for their monthly meeting and discuss what options they would like to take. Anderson stated that the Township is receiving approximately \$2000.00 tax base at this time from Monsanto. It was brought to Anderson’s attention that the City with an Orderly Annexation could offer them \$2000.00 a year for the next 5 years which would still leave the City with a positive revenue. Anderson asked Council to give her the authority to make the appropriate decisions as needed due to the time line of this project. Anderson addressed Dave Owings on what his feelings were with how the meeting went. Owings main concern is what will be running into our drainage system. Monsanto’s representative’s guaranteed the City that nothing will damage the sewer system. Owings then stated that the number of employees that will be relocating to this specific Monsanto site will be looking for housing which is a positive thing for the City of Glyndon. Savageau asked who will be responsible for the piping and hookup to the City’s water and sewer lines. Anderson informed Council Members that the cost would be part of the TIF (Tax Increment Funding). Dave Owings made a motion to allow Denise Anderson to use her authority to make decisions regarding the Monsanto Annexation, seconded by Joe Olson.
Motion Carried.

d. Centennial Development TIF Consideration – David Drown Correspondence – David Drown put together a Preliminary Analysis for Jim Sullivan and the City of Glyndon suggesting terms of an agreement to create a new housing TIF District over Phase II of the Centennial Addition.

Anderson highlighted sections from Drown's correspondence:

The City agrees to:

1. Create a new housing TIF District over Phase II of the Centennial Addition.
2. Reimburse the developer for \$12,000 of costs for each developed lot and home sold to an income qualified family over the next five years.

The Developer agrees to:

1. Submit a request for TIF that describes why TIF is necessary for this project.
2. Agree to pay for all city costs of preparing the TIF District and development agreement up to a maximum of \$12,000.
3. Submit construction plans to the City Engineer.
4. Submit evidence acceptable to the City that 100% of funding is in place.
5. Construct and finance all public improvements in accordance with the approved plans.
6. As lots are sold, submit evidence that the initial homeowner has a qualified income.
7. While lots are owned by the developer, developer must stay current on all property taxes and utility bills.

Anderson informed Council Members that by having this Terms of Agreement in place it will relieve the City of a lot of risk. This is a pay as you go TIF, so if the homeowner does not qualify they are taken out of the TIF. Mr. Drown also wrote a Recommendation letter to Council Members concerning TIF 1-1 compliance with the 4-year knockdown rule. According to Drown's research an oversight in the management of TIF 1-1 will need to be addressed by Council. If no development activity has been seen in 4 years the City is required to tell the County to remove it from the TIF District. The City will need to take steps in removing the idle parcels out of the TIF 1-1, recover the overpayment from Mr. Sefkow and reimburse the County. Anderson requested Council Members to make a motion to allow her to move forward with the TIF for Sullivan and start the steps to recoup the extra payout which will mean visiting with Lori Johnson at the County and researching information starting as far back as 2000. Joe Olson made a motion to allow staff to move forward to recover the overpaid Centennial TIF funds, seconded by Kimberly Savageau.

Motion Carried.

Denise Anderson requested a motion be made to establish a Resolution for the Council to set up a Public Hearing for April 22, 2015 at 6:30 in regards to the establishment of Tax Increment Financing District No. 1-3 located in Municipal Development District No. 1, Centennial Addition. The motion was made by Kimberly Savageau, seconded by Dave Owings.

Motion Carried.

7. Old Business/Unfinished Business

a. Seters East Development Update – Mayor Johnson took the floor to explain that the next step is up to the Developer. Steve Iverson and Kelly Richards informed the City that they were planning on having a booth at the Home and Garden Show to promote Seter's East Addition in Glyndon. Until we hear from Steve Iverson with a Developers Agreement the City is at a standstill. Dave Owings requested to speak at this time to mention the steps that need to be addressed before the development can move forward.

1. Contact BNSF Railroad to determine if storm water could be diverted to the ditch running alongside of the railroad tracks.
2. Mr. Norman & Mr. Baer discuss Developer's Agreement and necessary collateral for project.
3. Mr. Iverson conduct his survey regarding interest in the Glyndon market at the FM Home & Garden Show.

4. Create and sign Developers Agreement.
5. Secure Letter of Credit.
6. Determination of additional benefit of drainage of storm water to adjacent properties.

Mr. Owings informed Council that Denise Anderson has already heard back from Iverson and BNSF will not allow the water to run alongside the railroad tracks. Owings also informed Council Members that the 1.8 million Chris Thorson put on this project was only for 20 homes, not the whole development.

Next meeting will be on Tuesday March 3rd to discuss Seter's Addition, Centennial Addition and Monsanto's Annexation.

8. Department Reports / Committee Reports

a. Mike Cline, Police Chief – Chief Cline made sure Council Members received a copy of his 2014 Yearly Report prior to the Council Meeting so they would have time to review and prepare any questions they may have. Chief Cline took time to highlight some points in his report that he felt needed to be explained due to an increase between 2013 and 2014. Chief Cline explained how Domestic Assaults have increased in 2014 - every time an assault is reported it goes into an ICR (Initial Comp Report) but it does not mean it was processed in the court system. Cline indicated only 11 cases went to court, the rest were unfounded but an initial report still needs to be filed. The Maltreatment Reports also took an increase - eight reports came in one week concerning the same person. Cline explained that these reports come directly from Social Services, Glyndon Police Department is made aware of them just in case further action needs to be taken. Cline reported that the snowmobile/ATV/golf cart issue is also up and feels it is mainly due to the activity in the coulee area. Cline visited with Ken Norman informing him he is still working on the ordinance concerning this issue. Cline informed Council Members that the school bus arm violations are generated by the bus drivers. Owings was curious what the age bracket was for the bus arm violations – Cline informed him it is mainly adults for that violation along with the speeding in front of the school and not stopping at the stop sign at the end of Parke Avenue. Chief Cline would like to move forward on the carpet situation at the Police Department. Mayor Johnson mentioned that the main walk area in City Hall also needs to be addressed. Cline stated he will look into requesting estimates on what it will cost to replace the carpet. Officer Douglas is working on applying for more grants that would help fund items like an improved video system for the police vehicles and a Taser for the part-time officers to share. Owings commented on how well Cline put together this year's report, he feels the details are done very well without having issues with data privacy. Cline stated that he takes pride in his department and want the citizens to know they are there to serve and protect. Chief Cline expressed to the Council how he is pleased with how efficient his Officers are working to keep the residents safe. Councilmen Olson would like to see part of the report in the monthly newsletter. Cline suggested to put a notice in the newsletter informing residents a copy of the 2014 Police Report is located at the City Hall if they would like to review it. Cline informed Council Members that he has completed his officer's yearly review and has visited with each of them. His officers have signed off and the information has been filed in their employee folders. Chief Cline has completed his 10 year Capital Improvement plan for the Police Department and will get a copy to Mrs. Anderson. Cline informed Council that the State will be changing their 800 MHz system down the road which will be a costly expense for the Police and Fire Departments. Cline explained a situation he is running into with an officer needing to take FMLA time. Cline stated that our City Policy of this is very vague so he looked up the Federal Statutes to get the information he needed. If you are taking FMLA time you must take it consecutively and are not allowed to work another job according to the Federal Statutes. Cline

informed Council Members that he will be covering the shifts of the officer that is on FMLA and would like Council to increase his comp time.

Mayor Johnson was concerned with the budget that is set for the part-time officers and if Chief Cline is covering these shifts, will Cline's shifts need to be covered. Cline informed Council that he will adjust the time he comes in to offset the difference.

After discussion on this topic Dave Owings made a motion to allow Michael Cline to increase his comp balance at this time as long as he is under 50 hours by January 1, 2016, seconded by Kimberly Savageau.
Motion Carried.

b. Bob Cuchna, Fire Chief – Not Present.

c. Scott Lofgren, Maintenance/Public Works Supervisor – Not Present. Dave Owings informed Council Members that Mr. Lofgren offered the job to one of the applicants that he felt was best qualified for the Maintenance position and it was turned down. Mayor Johnson would like to know what the next step is to pursuing an employee for the Maintenance Department. Affield informed Council that Scott will be meeting with Preference Personnel to see if they have any qualified candidates for this position. Council discussed having a review of the starting salary for the opened Maintenance Position.

d. Denise Anderson, City Clerk – informed Council Members that the Auditors spent the week at City Hall collecting information and will now call or e-mail with what additional items they might need to finish the audit. Anderson stated that she has had several communications between Centennial and Monsanto concerning very near developments and she will keep Council informed as communications are received.

e. Councilman Joe Olson, Glyndon Improvement Committee – nothing at this time.

9. Open Forum – Nothing.

10. Miscellaneous Announcements – Karen Kringler informed Council Members that there is a Compliance order by the 1997 City Council and she was appointed the Compliance officer. Kringler believes all the information that was located at the Depot has been categorized up to 1975.


Mayor Johnson asked Anderson to notify Mr. Magnuson of the Monsanto status.

Joe Olson stated that after reading David Drowns information he feels the City has the right person helping them get the town moving forward.


Dave Owings would like to add an agenda item to the next Council Meeting – Utility Billing Policy update.

11. Adjournment

A motion was made by Joe Olson, seconded by Kimberly Savageau to adjourn at 8:42 p.m.
Motion carried.


Cecil Johnson, Mayor


Denise Anderson, City Clerk/Treasurer


Wendy Affield, Deputy City Clerk

February 25, 2015 Glyndon City Council Minutes