

**Glyndon City Council
12/11/2019**

6:30 p.m. Regular Council Meeting
City Hall Council Chambers

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 6:32 p.m.
2. **Roll Call:** Council Members Present: Dave Owings, Justin Schreiber, Joe Olson, Kimberly Savageau; City Clerk Wendy Affield; Police Chief Michael Cline; Police Officer Matthew Tri; City Attorney Ken Norman; City Building Inspector Steve Schroeder.

As Per Sign in Sheet: Kevin Mitchell and Joel Walsvik.

3. **Motion to Approve Consent Agenda** – A motion to approve the Consent Agenda was made by Justin Schreiber, seconded by Kimberly Savageau. All in Favor.
Motion Carried.

a. Approve Resolution of Payments

b. Miscellaneous Items:

- **Request City Hall be Closed on Christmas Eve, December 24th, 2019**
- **Accept League of Minnesota Cities 2019 Insurance Trust's Property/Casualty Program Dividend Check of \$1,569.00**

4. **Additions to Agenda**

➤ **Ken Norman – Franchise Information Update**

5. **Motion to Approve Agenda** – A motion to approve the agenda was made by Joe Olson, seconded by Kimberly Savageau. All in Favor.
Motion Carried.

6. **New Business**

a. Market Study Final Report from David Drown & Associates – Phone – Tessia Melvin – Affield noted to Council there will be a PowerPoint packet to coincide with DDA representative Melvin's discussion. She presented the findings of the market study to Council and was on hand to answer any questions or concerns. She said the main focal points of the study were to document gradual changes in duties performed, to look at changes in organizational relationships and responsibilities, deal with any recruitment or retention issues, and to ensure statutory compliance. Every three (3) years the City will be required to complete an "equity report" detailing number of current jobs, how many male and female employees there are, and how they are being paid. If these reports are not completed, the City will lose local funding and be assessed a fine. Updated job descriptions were collected from all City employees and compiled by Affield and then sent to Melvin. Once all job descriptions were updated by Melvin and sent back to employees for final review, then any appeals would have been filed. She said no appeals were made. Once the market study was underway, Melvin was tasked to assign each position a point based on a benchmark system. A budget analysis was also completed at the same time. After a market study is completed, then there are maintenance items the City can do to avoid needing another study done

in the future. After Melvin finished with the power point presentation, she said the study found the City's pay ranges for all positions are narrower than market average. Starting wages are close to market average, but maximum wages overall fall six (6) percent below average, which can impact the City's ability to recruit and retain employees. Melvin then discussed the new updated pay plan for full time employees, and noted this plan is a nine-step structure, calibrated to produce pay ranges which average four (4) percent above the current market average. She noted employees should only receive step increases if their performance is satisfactory or better. Olson asked Melvin why a nine-step grid was chosen instead of a ten or a twelve-step grid? Melvin said DDA compiles information on what surrounding benchmark cities are implementing, and generally the most used grids are between eight or ten-steps. She said it is up to individual cities to choose to use a step grid or just use a min-max range. She also noted cities like to use step grids in order to show employees their growth, and it is also good for budgeting purposes. Olson then asked if Melvin would recommend any kind of probationary step for employment under six (6) months? She responded some cities definitely do, and it is up to each city to decide if they want to build a six-month step into their grid. She also said her biggest recommendation to cities is to ensure detailed explanations of how their grid works, this should be written in the employee handbook, and to note a step increase is not a guarantee, but rather based upon performance. Owings asked if most cities who implement a probationary period do not include a pay increase? Melvin responded yes, and the most common probationary periods are generally six months or one year. She recommends cities implement them due to the following reasons: 1) it sets up what is expected of the employee, and 2) provides a city the opportunity to cease the employment if things are not working out. Owings asked if the LOMC requires any kind of paperwork to provide an employee to let them know about the probationary period? Melvin said there is generally a template regarding verbiage included in a hiring packet provided to the employee. She said she will check on any templates which she could send to Council. Norman asked about the potential impact of a collective bargaining agreement to a step program? Melvin said in this situation, a department such as the Police Department would still need to accept and agree to the step system or go on their own pay plan. Savageau asked if these numbers would be the start of 2020 wages for current employees, so they would then get these step increases at the end of each year? Melvin responded yes, and said some cities can apply these numbers right away on January 1st, which is easier in terms of payroll and for human resources purposes, or the COLA would be applied on January 1st and the STEP would be applied on their anniversary date. Savageau then asked to clarify if the steps would be applied for all employees regardless of their start date? Affield said she felt it would be Council's decision on how to implement the increases, and Melvin also confirmed. Olson asked if the new wages are used as a negotiation tool in terms of which step to start someone at? Melvin said she recommends Council write up a policy in the employee handbook stating "employees generally start at step 1 unless approved by Council." She said hiring managers can offer higher steps as a bargaining tool, then get it approved by Council. She also cautioned hiring people at different steps if they perform the same job duties, as it can cause issues. Melvin continued on to state the City's payroll implementation cost would amount to thirteen thousand, eight hundred seventy-five dollars (\$13,875), and the COLA cost at two point five percent (2.5%) would be nine thousand, five hundred thirteen dollars (\$9,513), for a grand total cost to the City of twenty-three thousand, three hundred eighty-eight dollars (\$23,388). Mayor Johnson asked if this can be adopted if the Police Union does not adopt it? Melvin said yes, and the Police Union would then need to discuss having their own payment plan. Owings informed Council and Melvin he and Olson will be meeting with the Police Union in January. Melvin outlined the next steps for Council will be to initiate the employee job classification appeal process, have a consultant review the appeals and present them to Council, utilize the budget implementation for the 2020 budget and implement it on January 1st or the first pay period of the year. Schreiber asked if in the future the City needs to contact DDA when hiring any new employees regarding which step should be offered? Melvin responded yes, and the City can coordinate with DDA regarding any ongoing grid maintenance, or DDA can grade any new job description at two hundred dollars (\$200) per job. Olson asked where the numbers were on average for the Mayor and Council positions. Melvin will send the numbers to Mrs. Affield. Mayor Johnson thanked Melvin for her time and all DDA's hard work compiling this market study for the

City. Olson asked if Affield should set up another Union meeting for the Police Department? Owings and Cline agreed.

b. Traffic Complaint – Joel Walsvik – Mayor Johnson asked Walsvik to present to Council his issue with a recent traffic complaint. Walsvik said he also wanted to ensure Council was aware of the contents of a letter written to him by Chief Cline. Cline said the contents of the letter are not a concern of the City Council, as it is instead a law enforcement issue. Walsvik then stated he feels the Council should vote on something like this. Cline explained Council does not vote on issues regarding law enforcement. Walsvik asked where the letter he received originated from? Chief Cline informed Walsvik the question has been asked and answered, does he have another question. Chief Cline stated Walsvik spoke to the City Prosecutor Cheryl Duysen also on this topic and she answered his question. Walsvik said the main point of his inquiry is who determines police discretion when issuing citations. Cline said this question was already answered in the letter he provided. Norman said it is inappropriate for a City Council to involve themselves with any police-related issues. Walsvik asked why? Norman said it is because the Council is a political body, and the Police are exercising their discretion in handling the issue that is in front of them. He said any issues from there can then be presented to a judge, but are not decided on by Council. Walsvik then asked why the letter was not signed by Cline? Affield said she was the one who asked Chief Cline to answer the question Mr. Walsvik asked, and when she received Chief Cline's answer she then copied and pasted the response onto City letterhead and sent it to him, which is why it was not signed. Walsvik requested to have it signed, but Cline said it does not need to be signed since he has provided permission for the letter to be typed as it is. Cline asked if Walsvik has any other questions which have not already been addressed? Mayor Johnson and City Attorney Ken Norman informed Walsvik it is not for this Council to decide if the officer acted appropriately, all those questions would be discussed during his litigation process. Walsvik questioned what litigation was. Ken Norman asked him if this topic was going to be address in court. Walsvik stated, this one has been settled. Walsvik asked if City Police Officers are allowed to park along Hwy 10 without lights on? Cline said he had already responded to this question yesterday on the phone with Walsvik, and restated that yes officers can park without lights but he does recommend they have their parking lights on. Mayor Johnson said these questions are not City Council matters, and referred Walsvik to direct any other traffic related concerns to the Police Department.

Moved to 6e. of New Business

e. 1st Reading of Ordinance #187 – Electric Franchise Ordinance Agreement with Northern States Power Company – A motion to waive the complete reading of Ordinance #187 and accept this as the first reading was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor. Motion Carried.

f. 1st Reading of Ordinance #188 – Gas Franchise Ordinance Agreement with Northern States Power Company – A motion to waive the complete reading of Ordinance #188 and accept this as the first reading was made by Kimberly Savageau, seconded by Dave Owings. All in favor. Motion Carried.

g. 1st Reading of Ordinance #189 – Electric Service Franchise Fee Ordinance with Northern States Power Company – A motion to waive the complete reading of ordinance #189 and accept this as the first reading was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor. Motion Carried.

h. 1st Reading of Ordinance #190 – Gas Service Franchise Fee Ordinance with Northern States Power Company – A motion to waive the complete reading of ordinance #190 and accept this as the first reading was made by Kimberly Savageau, seconded by Dave Owings. All in favor.

Motion Carried.

i. Approve 2020 Utility Rates per Month – Affield said Council may want to discuss the rates before making a motion, as there are some increases. She explained the three dollars (\$3.00) per month increase to the water rate is due to the PFA Replacement Fund we now need to do whenever a PFA loan is in place. Clean-Up Week was increased by twenty-five cents (\$.25) per month as last year's amount went over budget. Garbage was increased by one dollar and thirteen cents (\$1.13) and garbage tax increased by twelve cents (\$.12) due to the increase Fuch's Sanitation received. The Mosquito rate was increased by one dollar (\$1.00), bringing the total increase to the utility rates per month to five dollars and fifty cents (\$5.50). Savageau asked if the City ultimately decides to implement single-sort recycling, can these rates be changed mid-year? Affield responded yes. Mayor Johnson asked if the City would want to implement this program by mid-June? Schreiber recommended waiting until construction is completely finished and just do the garbage portion, not the recycling. Olson agreed, and said it might be easier for residents to adjust one bin at a time. Mayor Johnson said it would need to be decided whether or not to do plastic recycling also. Affield said there would be an increase for sure if plastic recycling is included. Mayor Johnson said a survey from the residents should be taken to see what local opinions are regarding curb-side programs. Affield said she could send one out with an email alert. A motion to approve the 2020 Utility Rates was made by Joe Olson, seconded by Justin Schreiber. All in favor.
Motion Carried.

j. Approve Resolution 2019-16 – Resolution Approving 2019 Tax Levy, Collectible in 2020 - Mayor Johnson said he feels the Council had come to an agreement on a two percent (2%) Tax Levy during the previous meeting. A motion to approve Resolution 2019-6, a Resolution Approving the 2019 Tax Levy at 2% for 2020 was made by Justin Schreiber, seconded by Dave Owings. All in favor.
Motion Carried.

k. MnDOT Construction Plans for Repairs on Trunk Hwy 10 – Spring/Summer of 2020 – Mayor Johnson pointed to the map in the packet and asked if MnDOT is going to do the work from Parke Avenue to which location? Schreiber said Partridge Avenue and a bit of Andrews Avenue. Mayor Johnson said the same repairs will eventually be needed on the west-bound lane as well. Schreiber asked if MnDOT has spoken about the turning issue from Hwy 10 onto Parke Avenue? Mayor Johnson said it had been discussed during the last Parke Avenue Project update meeting. Affield said MnDOT was going to initiate a study of the intersection.

l. Approve Resolution 2019-17 – Resolution Approving the Decertification of Tax Increment Financing District No. 1-1 of the City of Glyndon – Affield stated the Centennial TIF is paid in full now to Mr. Sefkow. Mayor Johnson asked if the payment goes to the County and then the City gets reimbursed? Affield said yes, a payment needs to go to the County and they will in turn send a portion back to us. A motion to approve Resolution 2019-17, a Resolution Approving the Decertification of Tax Increment Financing for District No. 1-1 was made by Dave Owings, seconded by Kimberly Savageau. All in favor.
Motion Carried.

7. Discuss Additions to the Agenda

a. Ken Norman – Franchise Form Update - Norman stated to Council he spoke to Pat Mastel, the general counsel for Midco, and he indicated Midco is wanting to come to the City to install cable for residents. Norman said he requested their intent be in writing and to forward it to Council and Affield. He also said Mastel indicated Midco will be applying for a new franchise in the City. Midco is hoping to start installation in the early spring with an anticipated completion date by fall of 2020. Owings said he is a little perturbed by Midco coming to the City now, since he has been asking them to come for over four

years. Norman stated to Council they may want to initiate a franchise fee for Midco also, and he received a copy of the agreement Midco has with the City of Dilworth. Norman said if accepted, it may provide residents with some competitive options for cable and internet. Olson asked if there would be any cost to the City for the work to be completed? Norman said no. Owings asked if Midco is also going to provide a phone service? Norman said it was not mentioned during his talk on the phone, but he guessed Midco would want to be offering their full spectrum of services. Olson said it would probably be a benefit to the City, as there are only a couple of options for residents right now. Affield said she also had a similar conversation with Red River Electric regarding franchise fees, and they indicated they would follow the same contract as with Xcel. She noted the fees are not yet included in the revenue budget because Xcel was given ninety days (90) to review. Olson asked what the process would be for Midco to come in and do the digging? Schroeder said Midco would still need to contact him to check on any required permits, and he will normally refer them to the City to check on any zoning issues. Mayor Johnson asked if Midco would want to build a tower within City limits? Schroeder said he was asked, but he referred them to the County first, then check with the City, but it is out of his jurisdiction. Owings said what Midco previously told the City is they needed three-hundred and fifty (350) billable homes/residences prior to offering services in the City, even though he had already informed them the City had three-hundred and ninety-eight (398) residences and a new addition on the way. He added it appears they are moving the line from Dilworth eastward on Hwy 10, but they have not made any purchases of land in order to have a location in the City.

8. Old Business/Unfinished Business

9. Department Reports / Committee Reports

a. Mike Cline, Police Chief – Cline stated the department is currently at three thousand, six hundred fifteen (3,615) calls for service for the year, an average of three hundred fourteen (314) ICR's per month or roughly seventy to eighty (70-80) calls per week. Officer Gruver has completed his FTO program and has been on his own since the 1st of December. On December 7th, an officer who also works part-time at Fleet Farm participated in the Shop with a Cop program, with other officers from Barnesville, Hawley, and Glyndon. This program allows a selected child (or children) to shop at Fleet Farm with an officer for Christmas presents. Glyndon's date for this program would be December 19th, which is a Thursday and will be from 5:00pm to 7:30pm. Cline said his department applied for a donation from the Fargo Force Hockey Team for the Hometown Heroes Project, and they were awarded the funds which will be received sometime next month to go towards an AED machine and accessories. Norman referred to an earlier conversation with Cline about installing security cameras at City Hall, and said he felt it is something important to consider along with including panic buttons. Cline agreed and said he would follow up with the City of Hawley as they just had a new security system installed. He also said he would gather more information and estimates to provide to Council before the next meeting. Cline said it is important to take into account the health and safety of all City employees.

b. Bob Cuchna, Fire Chief – Not Present.

c. Scott Lofgren, Maintenance/Public Works Supervisor – Not Present. Owings stated at the previous meeting there was discussion about requesting three (3) bids for a new furnace for the Community Center from Lofgren, along with a small list of improvements to be made. These requests are expected from Lofgren by the next regular meeting on December 23rd. Owings also asked Council if today was the due date for Maintenance employee Andy Olson to have had his performance review done by Lofgren? If not, Owings said this will need to be addressed with Lofgren at the meeting on the 23rd along with why the HR360 paperwork has not been completed.

d. Wendy Affield, City Clerk – Affield stated to Council she completed the six-month performance review of Administrative Assistant Heather Johnson, and it went very well. An employee self-evaluation was also completed by Johnson for the review, and Affield concluded her hiring was a great fit all-around.

At this time Council Addressed 6d. and 6c. under New Business

d. Building Permits/Inspections – 418 2nd Street SE – Sarah Peterson – Affield said despite the absence of Ms. Peterson, Council should continue with the discussion. Norman began by saying he had spoken with Affield and City Building Inspector Schroeder, and they had talked about the process of determining the condition of the home. He said Peterson had been communicating with him via email with questions she has, and she appears to be confused on some issues unrelated to the situation. He said Peterson is still claiming they do not know what it is she is supposed to do in order to resolve the issue, even though she has received detailed instructions many times. Norman said he has made an application for an administrative search warrant of the home, so that Schroeder and Cline may enter the home to determine if it needs to be condemned. Once the warrant is obtained, Norman said he has little doubt the home will be found inhabitable. He said there is no Certificate of Occupancy for the home, and Peterson currently does not meet the building code requirements to be able to live in the home. He feels once the City is able to determine the condition of the home, then the process can begin to declare it a hazardous building and take it over. Schroeder said the home cannot currently be called a livable dwelling because it does not have hookups to any utility services. There needs to be running water to be considered a livable unit. Affield said Peterson's partner Darryl Sjothun had recently inquired about the special assessments on the property. Norman said the timeframe for Peterson and Sjothun to protest the assessments is long over by many years. He said Peterson has made claims she is not allowed to enter the home, and how some building materials have been stolen. He informed her this is not the case, as she is able to gain access to her home with advance notice, and referred her to contact the Police Department regarding both issues. Cline said neither he nor his officers deny her access, and instead provide a three-hour unsupervised window each time they access the home. Olson asked what happens if Peterson and Sjothun do not comply, or what the demolition process will be? Norman said it is still unclear if the situation will reach that point. First some factual information about the home will need to be gathered and presented to Peterson, then a court action will be started to declare the home a hazard. Mayor Johnson asked if the property can go back to the County? Norman said yes. Savageau said after three (3) years the property can go "tax forfeit" but then there was a "confession of judgment" which delayed the process. Schroeder added in Clay County a home cannot be declared a hazard until the Health Department goes through it, which they will not do unless all personal property in the home has been removed. Olson asked how removal of the personal property would be accomplished? Cline said a notification of a certain period of time to remove the items would need to be sent, and after the time expires then the City can go in. Schroeder said in most abandoned home situations, the property has to be held for sixty (60) days for someone to claim it. Norman said this is similar to the situation with the Lugo home at 202 Eglon Avenue, and asked if anyone had been in contact with the owners about the house? Mayor Johnson said he had recently spoke to a brother of the former homeowner, who said he would be in town in March to take care of the issue. Owings asked if Council needs to make a motion to move forward on the Lugo property like the Peterson property? A motion to instruct City Attorney Ken Norman to proceed with the necessary steps to officially remove the Lugo property was made by Dave Owings, seconded by Mayor Johnson. All in favor.
Motion Carried.

c. Slow Children Signs – 418 2nd Street SE – Sarah Peterson – Affield informed Council Sarah Peterson just called and will not be able to attend the meeting tonight. In the absence of Ms. Peterson, Savageau said she wanted to point out Council has already addressed placing stop signs in this location, and it would be wise to wait until those are completely installed prior to responding to Peterson's request. Council agreed.

➤At this time Mayor Johnson also wanted to inform Council he had a meeting with the owner of JTF Trucking regarding the truck noise complaint by residents along Andrews Avenue. He received a letter regarding decibel noise information from a resident who has been at previous Council meetings.

The resident would like an answer from Council regarding his complaints about the truck noise as well as trucks speeding down the street. Discussion will need to be tabled until next meeting. Also, Mayor Johnson said he spoke with Mr. Huber about the elevator grain dust issue. Affield clarified by saying Huber had sent an email inquiring if the issue has been addressed by the City yet? Norman said he had been trying to reach Prosecutor Bietelspacher to determine what the next steps are, but has not spoken to him yet. He asked if the person making the complaint is the same one who complained about property values being lowered? Olson said no, it was a different person. Norman said he understood the City was going to visit with the owners of the elevator and let them know what the situation is. Mayor Johnson said there was a discussion, and the result was the elevator owners were going to inform their employees to not toss bees wings out of the upper story of the building, but this does not resolve the clean-up. The Minnesota Pollution Control Agency was contacted and they stated they are going to conduct an investigation, Mayor Johnson said. Olson said this resident would like the City to get involved by issuing nuisance citations to the owners of the elevator. Norman said the City can issue citations if it chooses, but he does not see the point as this is a civil matter between two property owners. He feels the resident should have done his due diligence and determined what sort of chaff is produced by corn processing before building his home right next to one. Norman advised Council to hold off further discussion until the findings of the investigation by the MPCA comes back. If the findings of their investigation come back saying they could not find any harm or pollution from the corn dust, then it will be a non-issue for the City. Schreiber said the dust only blows twice a year, and Norman said it would be hard to make an ordinance for something which happens so infrequently. Schroeder stated he spoke with the owners of the elevator and was informed they knew of the storage bin/lid issue and took steps to help remedy the problem by installing longer stakes so the lid would not come loose. Schroeder also added City building permits do not govern agricultural structures, so there would have been no need for the elevator owners to contact the City about the storage bin.

10. Mayor Johnson read the following:

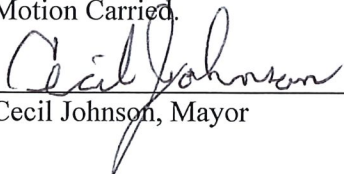
At this time the meeting will be closed as permitted by Minnesota Statutes, section 13D.05, subdivision 3(a), to conduct an annual Performance Review for City Clerk Wendy Affield.

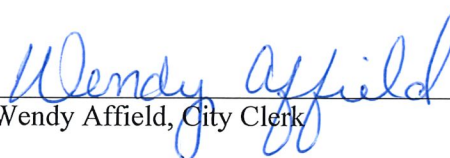
Review completed – Regular Meeting Re-opened – A motion to close the closed meeting and reopen the regular Council meeting was made by Joe Olson, seconded by Kimberly Savageau. All in favor. Motion Carried.

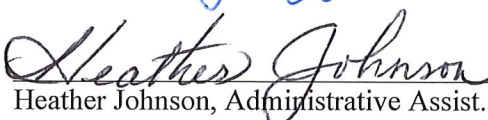
11. Open Forum

12. Miscellaneous Announcements

13. Adjournment – A motion was made by Kimberly Savageau to adjourn at 9:01 p.m., seconded by Justin Schreiber. All in favor. Motion Carried.


Cecil Johnson, Mayor


Wendy Affield, City Clerk


Heather Johnson, Administrative Assist.