

**Glyndon City Council**

**04/24/2019**

6:00 p.m. Regular Council Meeting  
City Hall Council Chambers

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 6:25 p.m.
2. **Roll Call:** Council Members Present: Dave Owings, Justin Schreiber, Joe Olson and Kimberly Savageau; City Attorney Ken Norman; City Clerk Wendy Affield; and City Engineer Kris Carlson.  
  
**As Per Sign in Sheet:** Leroy Babolian, Elaine Gulleck, Terry Thomason, Florence Thomason, Jamie Leach, and Terry Sperr.
3. **Motion to Approve Consent Agenda** - A motion was made by Justin Schreiber to approve the Consent Agenda, seconded by Joe Olson. All in favor.  
Motion Carried.
  - a. Minutes – 4/10/19 Council Meeting
  - b. Approve Resolution of Payments
4. **Additions to Agenda**
  - 12<sup>th</sup> Street SE Road – Joe Olson
  - Northwest Bank CD – Mayor Johnson
  - Water Issue on 110<sup>th</sup> Street SE – Joe Olson
5. **Motion to Approve Agenda**  
A motion to approve the 4/24/2019 Agenda was made by Dave Owings, seconded by Kimberly Savageau. All in favor.  
Motion Carried.
6. **New Business**
  - a. **Approve Hiring of Heather Johnson for the Administrative Assistant Position** – Mayor Johnson stated he and Schreiber sat down for an interview with Ms. Johnson, and are both asking the Council to appoint her as Administrative Assistant for the City of Glyndon. Mayor Johnson asked if anyone has any questions regarding the hiring. A motion to approve the hiring of Heather Johnson for the Administrative Assistant position was made by Kim Savageau, seconded by Justin Schreiber. All in favor.  
Motion Carried.  
  
  - b. **Snow Removal** – Resident Terry Sperr stated his children were not able to enter the alley on two separate occasions due to the snow pileup, as neighbors who became stuck in the snow were blocking the entrance. Terry also stated another neighbor took it upon himself to remove the snow, but noted that they are not employees of the City. Sperr is asking Council for some answers regarding the lack of snow removal of the alleys. Mayor Johnson stated the City's two (2) maintenance employees, Scott Lofgren and Andy Olson, were in fact out in full force removing snow, and the large amount of snowfall this year put extra strain on the removal process. Mayor Johnson confirmed major streets are plowed first, and then alleys second. Sperr inquires as to what the situation has been with prior heavy snowfalls, when snow has not been

removed as late as 3:00 pm in the day, noting the issue has been ongoing for the past few winters. Sperr acknowledges the constraints the City is under in regards to removal, but is inquiring as to whether the city needs to hire more seasonal help. Schreiber stated, he agrees a better plan needs to be in place, considering more houses have been built and more residential areas have been added. Schreiber also confirmed Randall's Excavating had been called to assist on occasion. Olson Inquired with Sperr as to the condition of the gravel in his alleyway. Sperr confirmed the gravel is in need of some repair, as there are potholes needing to be filled, but overall it is in ok shape. Mayor Johnson agreed a plan is needed and one will be taken up and worked on for the upcoming winter season.

A resident asked when she was able to talk about the water issue from the lift station in Stockwood. A motion was made by Joe Olson to add Water Issue at Stockwood/Lift Station to the Agenda, seconded by Justin Schreiber. All in Favor.  
Motion Carried

**c. Alley Drain Tile by Maintenance Shop** – Dave Owings stated the alley behind the maintenance shop becomes unusable during the four (4) weeks of spring, due to snowfall and snow melt. Owings stated drain tile would be a good solution, like they do in farming fields. Owings discussed this with Lofgren suggesting it be linked to the storm sewer. City Engineer Kris Carlson provided information including a dollar amount for the drain tile. This amount would be around sixty-five hundred dollars (\$6,500). Owings is concerned about the City not being able to move its own vehicles from the alleyway. Mayor Johnson stated he also discussed the issue with Lofgren, and Lofgren had Randall's Excavating come in to evaluate the situation and the area around the maintenance building. Affield suggested the topic be tabled for further discussion, as Lofgren was not present for the meeting and was not sure the drain tile would be the best option. Mayor Johnson confirmed per their prior discussion; Lofgren wanted more information from Randall's before proceeding.  
Tabled until the May 8<sup>th</sup> Council Meeting.

#### **Addition to the Agenda:**

➤ **Water Issue at Stockwood/Lift Station Area** – Mayor Johnson stated there was an issue with water being pumped from the lift station to the coulee. Carlson provided background to the problem, stating ("the firm") came to do soil borings in Stockwood and bored through the force-main. Randall's Excavating was not able to repair the damage until the water was pumped out of the pond. Florence Thomason stated the water backing up affected all of their properties along the Stockwood line. It was asked if the water is at a level that still requires pumping out by the City? At this time the force-main has been repaired, no more pumping will be necessary. Carlson inquired if the City needs to discuss the matter further with the contractor? Leroy Babolian informed Council he cleaned out the culvert by his home and the water dropped substantially. Ken Norman agreed if there are any financial issues regarding this, the boring company needs to be contacted. Mayor Johnson noted the watershed district took drones to view the ponds, and photos revealed several beaver dams. Mayor Johnson also noted the need for the watershed district to resolve the issue and let the people who live along the coulee know when it will be started, and who will pay for it. The watershed district has not yet responded. Mayor Johnson stated the township needs to be involved as well if they want to help. Carlson confirms it is the Dollar General that hired the boring company, and the City is responsible for the water pumping. Olson stated the City can put pressure on the boring company to find out what financial responsibility lies with them regarding any residential property damage/repairs. Ken Norman asked Olson if maintenance has been coordinating efforts to resolve the matter with the contractor? Carlson stated Lofgren has been dealing with Randall's Excavating, and they in turn

are trying to get it fixed. Affield noted Lofgren informed her when he needed to locate the line there was a large amount of snow in that area so his locate was off, roughly four (4) feet but the line that was hit would not have been hit if they would have been over four (4) inches. Ken Norman asked the residents if they have any damage done to their property. They stated it is more of an inconvenience with all the water in their yards. Terry Thomason stated there are two (2) ditches there and he took the closest one to drain. Mayor Johnson noted if the contractor, when the pond was built would have added more extensions on the pipe to the right ditch, the problem would not have occurred. Florence Thomason inquires as to what the City will do regarding the water and the resulting mosquitoes? Mayor Johnson noted aerial sprayers are hired by the City twice a year to combat the mosquitos. Affield informed Council funds were rolled over for mosquito spraying so we may be able to do three (3) sprayings this year. Florence Thomason noted the heavy amount of water on her property is going to prevent her from mowing. Olson stated he will come and look at her property to ascertain whether it can be pumped. Leroy Babolian inquired with the Council regarding any new culverts being added to his property? Carlson responded, it is typical protocol to reestablish the profile, or repair bad culverts. Mayor Johnson asserted the City understands the residents' concerns and is appreciative of everyone's willingness to come in and talk about issues with their property.

**d. Xcel Damage to Sewer Line** - Mayor Johnson stated there is a sink hole in the road on Lund Avenue, Xcel had done some work in that area earlier this year. Once the locating markings were placed prior to digging you can see in the pictures there was no doubt Xcel damaged one of the City's utility lines. Randall's Excavating fixed the sewer line that was damaged. Savageau noted the issue with Arvig not fixing the grass when they do work/digging in the City, and how a permit should perhaps be required of any contractor before work is started? Carlson stated he has a sample permit and will forward it to Affield for review. Owings noted he had issues with Xcel when work was completed in his front yard. The contact for Xcel was confirmed as Travis Lill. Schreiber inquired whether a fee or photos be required before any contract work is started? Carlson suggested each company would have to televise the City's utilities once the project is completed to prove they did not hit any water or sewer lines.

**e. Re-plat Approval for Outlot A in Stockwood** – Carlson stated approval for the replatting will be contingent upon MnDOT's concurrence, they have 30 days from the time we turned it in to make any comments. Norman asked who was putting the title information together for his approval? Carlson will send the information over to Norman. A motion to approve the Preliminarily Plat of Stockwood Business Park, 3<sup>rd</sup> Addition, was made by Kim Savageau, seconded by Justin Schreiber. All in favor.  
Motion Carried.

**f. Watch for Children Signs, 418 2<sup>nd</sup> Street SE** - Affield stated the 'Watch for Children' signs for Stockwood still need to be purchased. Affield informed Council the resident asked if two (2) signs could be put up. Mayor Johnson inquired whether the signs would need to be placed around the addition, out to Hwy 10, instead of just placed by this particular address? Mayor Johnson also noted the placement of signs reduces liability to the City. Norman asked which property the signs were in relation to. Once informed of the property owners Norman stated, no one is supposed to be living in the house to begin with, there is no Certificate of Occupancy. Norman explained the City, with the addition of these signs, is taking the necessary steps to try and ensure the children are safe. Schreiber asked whether the signs should be placed in more appropriate/needed areas of the City? Mayor Johnson stated the City should identify the proper spots in town for these signs, and once determined, have them counted and placed. Savageau asked if the City has any legal obligation to place signs now that the resident has requested them? Norman explained the City is now on notice due to the resident's official

request, and some liability has now been incurred. Savageau also noted how too many signs on a street can be a distraction for drivers. A motion to place two signs in the area was made by Joe Olson, seconded by Kim Savageau. All in favor.  
Motion Carried.

**g. Skate Ramp “Half-Pipe” Discussion** - Mayor Johnson explained a resident has asked the City for permission to build a half-pipe skating ramp either in his backyard, or in one of the City’s parks. Affield noted the resident would prefer his backyard as the location, but would also build in the City park if his yard is not allowed. Affield stated she spoke with Schroeder regarding the build, and he felt it should not be allowed in a residential backyard. Affield explained she reached out to the League of Minnesota Cities and was provided a state insurance coverage checklist for parks, and the checklist would have to be gone over by the City to ensure no liabilities remained. Owings inquired could the resident build in his own backyard if a fence surrounding the property was required? Norman stated he was in agreement with Lofgren, where certain playground/equipment standards need to be met for a project like this and he is unsure if those standards would be met. Affield provided online examples of similar half-pipes, and Norman followed up with explaining how the City’s standards would need to be at a much higher level than the residents. Norman stated certain questions still need to be addressed, such as who would be in charge of maintenance or where the location would be? Savageau feels while more recreational options for children are beneficial, it would be added work for the City’s already-busy maintenance crew. Owings stated the resident is welcome to build in his yard, but it would be required of the resident to check with his own homeowner’s insurance as to the allowance. Norman noted the half-pipe could become an “attractive nuisance”, in that children of the neighborhood would be attracted to the property due to the half-pipe, much like a swimming pool. Affield agreed and noted the resident would need to be mindful of the noise associated with skateboarding on the wood half-pipe. Mayor Johnson agreed the City at this time does not have the time to maintain or insure a half-pipe in a City park. Affield stated she can speak with the resident again to have him gather more information. Savageau asked whether the City currently has any ordinances which would prohibit the building of such a structure, and if a building permit would be required? Savageau and Norman both noted the City should avoid providing any instructions regarding the matter to the resident, in order to avoid the information being considered “legal advice.” Savageau stated it would be wise for the City to check with the Building Inspector to check on any ordinances, prior to notifying the resident of his own responsibilities regarding the building of the half-pipe in his backyard. Council was in agreement.

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

**a. Project Updates** – City Engineer Chris Carlson stated a walk-through on the Parke Avenue project was completed with Dave and Brad, to discuss who was the lead on which portion of the project. The tree clearing process has begun. Carlson explained Hough Construction was due to start digging in early May, depending on the soil wetness, and talks with the school have begun regarding 7<sup>th</sup> street access issues. Carlson informed Council they had a productive meeting concerning Phase I in Charleswood, the information regarding cost for the Developers’ Agreement will be provided to David Drown once we receive the information from Sullivan. An official petition/waiver of protest is still needed, just like with the Southview Addition. Carlson discussed how they want to handle the lots that are not owned by Mr. Sullivan, he would like the road in front of Mr. Erickson’s taken care of in phase I. Tests and survey work still need to be completed first. Savageau asked if the spreading of the pile of material was discussed. Carlson stated the land needs to be raised so it can be taken out of the FEMA flood area. The City will need to sign off as the Flood Plan Administrator. Savageau inquired whether children on the south side of town will be able to travel Parke Ave to get to summer school

activities? Savageau stated the coulee is a passing point for many children, but is it the only viable route? Carlson noted he will ensure the issue is brought to the attention of the crews working on Parke Ave. Carlson will visit with Lofgren to see if it is something the maintenance crew could build. Owings will use his drone to show everyone how things have changed now that the trees have been removed.

**b. 418 2<sup>nd</sup> Street Update** - City Attorney Ken Norman confirmed a letter has been sent to the property owners, but no response has yet been received. Norman talked with Affield about having the Police Chief personally hand notices or letters to the property owners since no other method seems to be effective. Norman confirmed he spoke with Sheryl Dyson of the Prosecution Services for the City, and their office is ready to proceed as necessary. Norman remarked it is unclear whether a judge would actually issue a notice to vacate. Affield confirmed the Chief and his department were ready to hand-deliver any further letters from Mr. Norman. Olson asked Norman if the City is within any legal bounds to sue the property owners regarding the hazardous situation? Olson inquired if the City has a line regarding Social Services concerning the children living on the property, and Norman confirmed they have already been notified of the situation. Savageau stated the property owner has gone to the County and signed a Confession of Judgement for their property tax special assessments. They will have to pay their current and a portion of their past to keep current. Norman also stated the next official step from a legal standpoint would be for the City to file a lawsuit on the basis of a 'hazardous site', the City will need to make that decision. Norman went on to say the property owners may grow tired of receiving the citations and might begin to remedy their situation. Olson stated he feels only the true property owner should be dealt with/spoken to at this point, since the other resident is not listed as an owner.

**Additions to the Agenda:**

➤ **Parke Avenue Project Bond Money – Northwestern Bank CD** – Mayor Johnson stated he and Affield sat down with Northwestern bank and discussed the bond funds for Parke Avenue. The bank representatives suggested placing the funds into a CD, and earn interest on it. Affield confirmed a four (4) week CD was chosen, they will check with us to see if we want to extend the funds for an additional four (4) weeks or have them deposited back into the Parke Avenue 2019A Bond bank account. Affield noted the paperwork is ready to be signed, and confirmed the dollar amount as \$4 million with a 2.15% interest rate, and the City will make approximately \$7,097 during that four (4) week period. Affield is asking for permission to put the funds into a CD. Carlson will monitor this during construction, the first pay estimate should not be until end of May, which will be a small amount. Affield informed Council we still have around \$197,000 in the fund to use for payments so we may be able to extend it another month with the \$4 million. Affield asked Carlson if the bills go to the County first and then we are billed for our portion. Carlson agreed; the payment will be made to the County. Carlson inquired as to possibly extending the term in order to earn more interest revenue. Affield stated Jason Murray from David Drown's & Associates explained, any interest funds received should be used towards the 2019A project and would help offset the levy. A motion to apply the Parke Avenue Bond Money to a four (4) week CD was made by Justin Schreiber, seconded by Dave Owings. All in favor.  
Motion Carried.

➤ **12<sup>th</sup> Street SE Paving Issue** – Olson stated he spoke with several homeowners on 12<sup>th</sup> Street SE regarding the street. Olson confirmed that each Southcreek homeowner in the past has paid an assessment totaling \$15,990 at move-in, but the southern-facing residents living on 12<sup>th</sup> Street did not receive a paved road. Some of those residents have expressed to Olson their desire to have that section of road tarred/paved. Olson feels it is not fair to those residents who have

paid the same amount in assessments to not have a paved road in front of their homes, while others in the addition do. Olson requested Council seriously look into the costs of having that stretch of road paved, at no cost to those homeowners. Carlson explained the developer took the cost and separated it across the board and then sold off that portion of land to a different developer with the specials following the land. The City does own the road now that Monsanto was annexed into the City Limits. City Engineer Carlson agreed and noted a LIRT grant might be an option from MnDOT, it would be an 80/20 split between MnDOT and the City. Carlson stated the road would need to be rebuilt, resurfacing would not be an option. Carlson would like to look at it when Charleswood is being completed, not during the Parke Avenue project being it is federally funded. Olson also noted the residents along that stretch are not expecting a paving of the road this year, but would like to see it paved within the next couple years. Olson would also like the ditches looked at during the project. Mayor Johnson noted the City is already paying the County to maintain the gravel, it is costing the City regardless. City Attorney Ken Norman asked about drawing up a budgetary estimate? Council agreed the monetary numbers to pave the road should be gathered as a first step. The estimate should be from Parke Avenue to the coulee on 12<sup>th</sup> Street. Carlson made mention if this stretch is approved to be paved then the City should also ensure the adjacent/access roads are also paved.

**c. Glyndon Days** – Glyndon Days will be August 5<sup>th</sup> – 10<sup>th</sup>.

- **Picnic** – Savageau noted the Cub Scouts have agreed to work the Picnic as they have done previously, and everything is in order on that portion. Affield asked if she should reserve a bouncy house? Council agreed that a repeat of last year’s festivities will work. Planning for the picnic will be removed from future agendas. Council agreed the date for the picnic will be Thursday, August 8<sup>th</sup>.
- **Parade** - Owings noted the Parade planning will be covered by the new Administrative Assistant, Heather Johnson, regarding emails and letters sent out to participants, and he will coordinate with both Johnson and Affield.
- **Saturday/Vendors/Concessions** - Schreiber stated the Vendors/Concessions will be located in Johnson Park, but inquired about the issue of maintaining power. Schreiber noted there is some concern as to whether the generators will be enough to provide the necessary power to the vendors. Schreiber said he can ask Lofgren to verify the current setup. Affield informed Council she had permission from the HR Committee to hire Johnson to come in part-time until Council was able to approve her for full-time. Johnson will start April 29, 2019 as a full-time employee. Affield confirmed Johnson will be drawing up a vendor application form and will begin contacting vendors. Olson confirmed he spoke with Nate Paulson, and it was decided not to have the 5K Rescue Run this year due to low attendance.
- **Band/Dance** - Buffalo River Race Park will be contacted concerning having the Glyndon Days Street Dance at their race track. Affield noted she spoke with Kim Gordon the Clown, and confirmed she will be back again this year.

**8. Department Reports / Committee Reports**

- a. Mike Cline, Police Chief** – Not Present.
- b. Bob Cuchna, Fire Chief** – Not Present.
- c. Scott Lofgren, Maintenance/Public Works Supervisor** – Not Present.
- d. Wendy Affield, City Clerk** –
- **Facebook Page** - Affield informed Council she spoke with Johnson about the creation of an official City of Glyndon Facebook page. Savageau noted the issue of making sure only official City business gets posted, and a policy could be made to ensure that. Affield


informed Council there are seventy-six names signed up for the email alerts. Owings added a separate mailing regarding email alerts should go out to the City residents. Savageau suggested the mailer could just be a postcard.

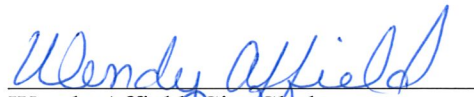
- Monsanto/BNSF Site - Affield confirmed she spoke with Penny from Monsanto and they like the BNSF site, if it is agreed to by BNSF. Monsanto is having a sign made for the location. The contact at BNSF has not returned Affield's message at this time.
- Stockwood Lighting - Affield requested a better price range on the thirty-foot (30') poles and received an estimate \$29,000-\$35,000 range. The price is for five (5) lights. Mayor Johnson inquired if the price can be locked in order to get a couple more lights, one at Dollar General and one or two on 110<sup>th</sup> Street? Affield stated, once the road is completed, then the lighting will need to be addressed.

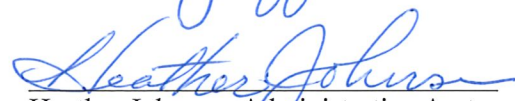
**9. Open Forum**

**10. Miscellaneous Announcements** – Olson recognized Affield for her hard work during the time she was by herself in the office.

**11. Adjournment** - A motion was made by Justin Schreiber to adjourn at 8:10 p.m., seconded by Joe Olson. All in favor.  
Motion Carried.

  
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Cecil Johnson, Mayor

  
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Wendy Affield, City Clerk

  
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Heather Johnson, Administrative Asst.

April 24, 2019 Glyndon City Council Minutes