

1. Call to Order: Mayor Cecil Johnson called the meeting to order at 6:30 p.m.

2. Roll Call: Council Members Present: Dave Owings, Joe Olson, Kimberly Savageau, and Justin Schreiber; City Clerk Wendy Affield; Police Chief Justin Vogel.

As Per Sign in Sheet: Tracy Tollefson, Darrel Sjothun, Leroy Babolian, Terry Thomason Jr., Elaine Gulleck, Gary & Jamie Leach, and Sarah Peterson.

3. Motion to Approve Consent Agenda – A motion to approve the consent agenda was made by Kimberly Savageau, seconded by Joe Olson. All in favor.
Motion Carried.

a. 11/24/2020 Public Hearing Minutes – 2 Year Tax Abatement

b. 11/24/20 Council Meeting Minutes

c. Approve Resolution of Payments

- **Fire Department Requesting Purchase Approval of \$1,233 for a Computer and 2 Monitors – Bob Cuchna**

4. Any Additions to the Agenda – Mayor Johnson said he is going to rearrange the Agenda slightly, by allowing the residents living on 110th Street SE to discuss their topic before the New Business portion of the meeting.

➤ **Police Department Staffing – Kimberly Savageau**

➤ **Issues regarding 110th Street SE – Residents Babolian, Thomason, Gilbert and Leach**

➤ **418 2nd Street SE – Darrell Sjothun**

5. Motion to Approve the Agenda – A motion to approve the agenda was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor.
Motion Carried.

Council Member Olson wanted it on record that for New Business topics “e.” and “f.” he has a conflict of interest and will remove himself from the meeting after initial comments of direction by Council Member Owings.

****Addition to Agenda: 110th Street SE – Moved by Mayor Johnson****

Resident Leroy Babolian agreed to act as spokesman for the other residents present tonight to discuss their questions and concerns about 110th Street SE. Babolian first began by asking Council who has ownership of this road, is it the residents who live on the east side of the road, or the City? He said through the years the question of ownership has never been answered completely, and the residents on the township side have been maintaining it for over forty (40) years. Terry Thomason Jr. claims the City at one point said they do not own this road, and according to a Minnesota statute, the City lost ownership of

this road via abandonment laws. Mayor Johnson questioned, who at the City made that comment? Thomason did not answer a specific person's name, but said it has been left up to the residents to provide snow removal and gravel for maintenance, and asked if the City has any record of maintaining it in the last forty (40) years? Babolian spoke and said when he moved to Glyndon in 1975, he spoke with Bob Anstadt, the Maintenance Supervisor at the time, who told him 110th Street was an "old garbage route" and would be up to the residents living along side it to maintain it. Thomason said his folks have lived along this road for thirty (30) years or more, and all that time they have been doing all the maintenance and grass mowing. He says the City cannot come in at this point and claim the road due to the State statute on abandonment. Mr. Leach said he recently purchased a home there and the title company took extra time in locating the property pins, and they determined 110th Street SE to be a "private drive." Mrs. Gulleck also said she purchased her property years ago, and approached the City about ownership of the road, and at the time the City claimed to have no responsibility for it. She said the road got heavily damaged by all the large truck traffic when the Dollar General Store was being built. Thomason said there have been other City residents tearing up the road, particularly with ATVs. He also claims the concrete section leading to the Dollar General should have never been put in as it attaches directly to their road. Snow removal has been a major problem according to one of the residents, who said the Dollar General only cleans a small portion and leaves the rest for them to clear out. Leach wanted to know why the request for either a yield sign or stop sign by the Dollar General was denied. Affield interjected and said the residents were never denied a sign, but Council had said they would wait to install a sign when the through road was finished properly. Thomason said then at this point, the City will need to notify the Dollar General Store that they cannot use the concrete access from their road because it is a private drive. Savageau said this discussion will have to be held at a different time, as there are State statutes which will need to be interpreted by our Legal Counsel, we are not attorneys. She said if Thomason has the statute number and other information available, he should then email it to City Clerk Affield who then will send it to City Attorney Ken Norman and City Engineer Kris Carlson for further review. Affield said Carlson will be present at the next regular Council Meeting on the 21st. Thomason insisted the City needs to tell people they cannot drive on this road any longer, as it is not owned by the City, and any damages to the road will be the responsibility of the City to fix. Gulleck said people are driving through their private yard to go around the back way of Dollar General, on the dirt portion which connects to the road by Randall's Excavating. Chief Vogel said his department has not yet received any complaints regarding this. Savageau again said this is something which the City will need to review with their engineer and attorney, and the sign issue can be discussed again with Chief Vogel. Thomason said there should be some kind of barricades on the dirt road portion on the south end to keep people from driving through. He added that as of today, right now, the access to Dollar General needs to be shut down. Savageau said as a Council, they do not have the authority to do that, and in general an issue such as this needs to be reviewed and researched properly. She said she appreciates the seriousness of this issue, and wants to work to resolve it but the Council needs the proper time to discuss with their attorney first. Schreiber mentioned there is the issue of MnDOT filing a right-of-way permit for a portion of the access, also. Affield said she can call Carlson to come out and go over the frontage road measurements again. Mayor Johnson said MnDOT owns a certain percentage of the road coming off of Hwy 10, and Carlson can determine how much is owned by the State, how much is owned by the City, and how much is owned by the Township. Council agreed to have the dirt portion of the road barricaded, and a sign has been placed to direct traffic to turn left on 2nd Street by Randall's Excavation. Mayor Johnson said first thing tomorrow morning they will get in touch with Carlson and will go over the information submitted by Thomason. Olson said it will be necessary for these residents to attend the next regular meeting to continue the discussion and go from there. Mayor Johnson added the Chairperson of the Glyndon Township should also be present, to help figure out the ownership issue.

Resident Darrell Sjothun asked if there were any plans for a sidewalk in Stockwood leading to the Dollar General? He said it would be much safer for people who want to walk there, especially children, instead of walking through lots or along Hwy 10. Savageau said at this time the City does not have any

plans to put in a sidewalk, but this is certainly something which can be discussed further down the road when all of the lots have been sold.

➤ **Police Department Staffing – Kimberly Savageau** – Savageau said she is going to let Chief Vogel lead the discussion on this topic. Vogel said this discussion was added tonight in order to request the fulfillment of a full-time police officer position. He said his department has been short-staffed since July of this year, actually March due to the COVID virus and recently again due to quarantine guidelines. Vogel said he wished to ask Council to consider allowing one of the part-time officers go to full-time status. He said he currently has an officer who is applying with the State Patrol, and will hear back in February if he is offered the position. This would leave the department shorthanded, so he is also requesting to hire an additional part-time officer, with the option of becoming full-time down the road. He would like the job ad to be posted now, and get the process started since it can be lengthy due to background checks and training. Mayor Johnson asked how many part-time officers the department currently has? Vogel said there are two (2). He would like one of the two to start full-time on Monday, January 4th. He said his top concern is getting quality officers for the City, not just a body to fill a position. Vogel acknowledged the timing is not the best budget-wise, but also feels this is the position he needs to take to better the department. Mayor Johnson asked if he has already addressed this with the Police Department Committee? Vogel said yes. Schreiber said the committee had a meeting with Vogel roughly two weeks ago, and it was anticipated the department may have struggles due to coronavirus quarantine guidelines. He said it would be to the benefit of the City to get ahead of staffing issues prior to potentially losing an officer to the State Patrol. He said he is of the opinion this is the best route to take, and also to help alleviate the current stress officers are experiencing. Savageau agreed, and said there is the possibility of multiple quarantine instances, so the department needs to be better staffed. Olson asked if the department will be back to full-time status in terms of staffing needs if Council approves? Vogel said yes, the department would be considered full-time working status. Mayor Johnson asked how many part-time officers would remain? Vogel said one, and this officer also works part-time at the Cass County Jail. Vogel stated it is also difficult working around a part-time person's schedule, not to mention we are competing with the hiring of other cities such as Moorhead, Hawley, Clay County and even State Patrol. A motion to approve moving one of the part-time officers to full-time was made by Dave Owings, seconded by Joe Olson. All in favor. Motion Carried.

➤ **418 2nd Street SE – Darrell Sjothun** – Sjothun said he was present tonight to see if his family can get some help from the City, as the coronavirus has affected some of his family members. Mayor Johnson asked what Sjothun is specifically asking of the City? Sjothun said he is looking for suggestions on how best to clean up the property, and if the boards on the doors and windows can be removed so he can try to sell the house? He would like access back into the home, and would like to find a way to live in the house again. He is hoping the water service can be fixed, hooked up, and be added to the current debt he owes. Vogel said with the ongoing litigation regarding this property, he does not recommend Council get involved any further, and allow the mutual attorneys deal with the next steps. Mayor Johnson asked Sjothun if he is working at all with the County? Sjothun said yes, but he hasn't received much in the way of help. Affield said at this point, Sjothun's attorney needs to contact the City's attorney. Sjothun said he does not have one. Vogel said then Sjothun himself should be in contact with the City Attorney, as it is out of the Council's hands now. Sjothun asked if the City had another Attorney as he feels there is a conflict of interest with Mr. Norman. Schreiber stated, all Council has asked of Sjothun repeatedly over the years is to clean up the outside of the property, which to this date Sjothun still has not done. Mayor Johnson informed Sjothun he has reached his five minutes to speak, and is now trying to bring up other topics that are not on the agenda, so he is encouraging Sjothun to reach out to the County Auditor about his special assessments and property taxes, and to contact the City Attorney about any concerns with his property.

6. New Business

a. Approve January 2021 Council Meeting Schedule – Affield said this is just for the month of January. Owings asked Mayor-Elect Tollefson, who was present this evening, if the dates set forth will work for her? Tollefson said yes, and she is flexible if certain meetings need to be switched from morning to evening. A motion to approve the January 2021 Council Meeting Schedule was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor.
Motion Carried.

b. Approve 2021 Utility Rates per Month – Affield said for 2021 there is a slight adjustment to both Storm Water and Water Looping, which zero out so residents will not see any increase this year. A motion to approve the 2021 Utility Rates was made by Joe Olson, seconded by Dave Owings. All in favor.
Motion Carried.

c. Dividend Check from the League of Minnesota Cities for \$3,525 (informational only) – Mayor Johnson stated, we received a little more than last year. Affield confirmed yes. Savageau asked if this goes into a line item in the budget? Affield said yes, and mentioned the sheet attached shows the amounts all the way back to 2011.

d. Approve Using the Wheelage Tax Funds from Clay County for the 2019A Bond Payment of \$75,450.00 in 2021 – Mayor Johnson asked if this is for the Parke Avenue Project? Affield said yes, and this is for the first payment. Savageau asked how many years of wheelage tax has been saved? Affield said the wheelage tax is currently at sixty-six thousand, five hundred thirty dollars (\$66,530), and in March is when the County notifies us as to how much we receive. It can only carry over for seven (7) years so we will need to use it in 2021. Affield said David Overbo from the County informed her the City can request funds early to make a payment if needed. A motion to approve using the wheelage tax for the 2019A bond payment was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor.
Motion Carried.

e. Closed-Door Session – Mayor Johnson Please Read:

At this time the meeting will be closed as permitted by Minnesota Statutes, section 13D.05, subdivision 3(a), to conduct a discussion concerning the salary, benefits and hiring of a Maintenance Supervisor.

Owings said at this time he would like to formally invite Mayor-Elect Tracy Tollefson to join this closed-door session. Justin Schreiber made a motion to close the Regular Council Meeting to go into a Closed-Door Meeting, seconded by Kimberly Savageau. All in favor
Motion Carried.

****Closed Door Session****

Joe Olson removed himself from the closed-door session at 7:35 p.m.

A motion to re-open the Regular Council Meeting was made by Dave Owings, seconded by Kimberly Savageau. All in favor.
Motion Carried.

Joe Olson rejoined the Regular Council Meeting

f. Offer Maintenance Supervisor Job Position to the Most Qualified Candidate along with Approving Date of Hire, Salary and Compensation Package – Affield said a motion will be needed for this. A motion to offer the Maintenance Supervisor position to the most-qualified candidate along with the date of hire, salary, and compensation package was made by Dave Owings, seconded by Kimberly Savageau. Joe Olson abstained himself from the vote. All in favor.
Motion Carried.

g. Approve Resolution 2020-19 – A Resolution Approving 2020 Tax Levy, Collectable in 2021 – Mayor Johnson asked if Council had any thoughts prior to making a motion? There were none. A motion to set the 2020 tax levy at five percent (5%), collectible in 2021, was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor.
Motion Carried.

7. Time to Discuss Additions to the Agenda

➤ **110th Street SE Discussion – Mayor Johnson** – Mayor Johnson said he wanted to address a couple more things on this topic. He said there may be some merit to the State statute, and this should be looked at closer. Owings said when the whole parcel was platted, Ulteig Engineering had determined Glyndon Township owned half of the road, and the City owns the other half. He does not feel this road was ever abandoned by the City, and will be a burden of proof needing to be met by those homeowners. Owings did acknowledge the road was not maintained by the City, but it still remains to be proven that the City officially abandoned it. Mayor Johnson said Carlson went through all of the measurements with MnDOT. Affield agreed and said a permit had to be granted and approved by MnDOT. Owings said these homeowners have been previously asked if they wanted to join the City, and all said no. Owings said the homeowners have all had the chance to view the plat maps showing where the property line divides the road. Affield agreed, and said it showed more of a three-quarter/one-quarter divide, and it has been suggested in the past a second road could be built alongside the existing gravel one. Schreiber said there may be some issue regarding easements as well. Mayor Johnson asked about the stop sign placement? Savageau said it was discussed at a previous meeting, but Council did not approve one at the time. Vogel said it was determined a stop sign was not needed at this time but would be looked at in the future. Vogel can definitely see a stop sign being beneficial at this location once the road is completed. Mayor Johnson asked if signs or barricades of some kind should be placed on the southern portion of the road? Owings said Randall’s Excavating is using it to some degree, and Vogel said it is a right-of-way road. Affield said our City Maintenance also uses it to get to the lift station. Vogel said the attorneys will need to determine proper ownership of this section of it, but noted there was a “turn left” sign recently placed at the entrance of the road which will help deter traffic. Owings recalled a 2010 meeting with MnDOT where the chance to have the Hwy 10 project completed according to their design would have allowed funds left over to pave the road and tie into Stockwood. He recalls all of those residents along 110th Street were at the meeting and they said no to being a part of it, so the offer was taken off the table. Olson said the bottom line is that someone needs to legally determine where the property line is.

8. Old Business/Unfinished Business

9. Department Reports/Committee Reports

a. Justin Vogel, Police Chief – Vogel said the department has been very busy, due to being short-staffed, and he appreciates Council allowing the addition of a full-time officer. He said his department will be doing “Shop With A Cop” on Sunday, December 20th. Three (3) children who are residents of Glyndon were chosen to participate and have pizza at the Police Hall prior to going Christmas shopping. Owings said he generally tags along in order to take official pictures, but he may have a prior conflict that evening. Vogel said there have been a lot of stolen vehicle calls recently, two pursuits, and

he will be putting a reminder on the Police Facebook page to remind residents to lock their vehicles. Olson said he really appreciated the recent Facebook post about the Glyndon PD watching people's homes who will be on vacation. He thought this was a great thing for the department. Vogel is excited for the upcoming year, as it has been difficult to be involved with the community because of the ongoing pandemic. He would like to get his officers more involved in doing things with residents, such as "Lunch with a Cop" and "Dinner with a Cop."

b. Bob Cuchna, Fire Chief – Not present.

c. Dave Owings, Maintenance/Public Works – Owings said there was a portion of snow fence installed out by Southview. He said maintenance employees are appreciative of everything the new Toolcat can do, and are discovering better and more efficient ways to remove snow with the snow blower extension. Owings said it was decided to keep the pathway open from 14th Street S to Southview in order to avoid any snow blockages to the lift station in that area. He suggested the maintenance employees build a custom rack for the Toolcat for any specific tools they will be hauling the most. Maintenance employee A. Olson will be taking more water certification tests this month, and L. Walvatne will be starting his training. Mayor Johnson said the beaver dam was removed but shortly after a larger one was built by the beavers. Owings said they will need to contact the Buffalo River Watershed District again to start the trapping process.

d. Wendy Affield, City Clerk – Affield said Southview developer Kelly Richards stopped by City Hall with a new map showing newly sold lots, it appears to be quite a few went to one specific contractor. She is excited for the development to take off this spring and summer, stating the builder has done a lot of homes in Barnesville. Olson asked if the builder will have smaller sized houses on them? Affield said the houses are all different sizes he builds in Barnesville. Olson commented the green fencing at the park in Southview was a good choice by Affield. Owings said if the park needs more trees, he knows of someone just east of Hawley who is looking to get rid of some.

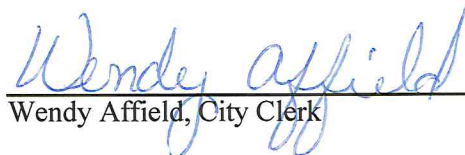
10. Open Forum - **This is the time for the General Public to address the Council regarding a City Business item that is not on the agenda. Typically, decisions will not be made at this meeting but will be referred to staff for further research. The Open Forum shall not be used to make political statements, political endorsements or for any political campaign purposes.*

11. Miscellaneous Announcements

12. Adjournment – A motion was made by Dave Owings to adjourn at 8:02 p.m., seconded by Kimberly Savageau. All in favor.
Motion Carried.



Dave Owings, Vice Mayor



Wendy Affield, City Clerk



Heather Johnson, Administrative Assist.