

Glyndon City Council
8/9/2023 – 7:00 A.M.
Regular Council Meeting
City Hall Council Chambers

1. Call to Order: Mayor Tracy Tollefson called the meeting to order at 7:00 a.m.

2. Roll Call: Council Members Present: Justin Schreiber; Bryant DeVries; Police Chief Justin Vogel; Public Works Superintendent Travis Braton; City Attorney Ken Norman and City Clerk Wendy Affield.

As Per Sign in Sheet: Kevin Mitchell & Ralph Mitchell

Virtual Attendees: None

Absent: Council Members Steven Ring and Patrick McCoy

3. Motion to Approve Consent Agenda – A motion to approve the consent agenda was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

a. 7/26/2023 – Glyndon Days/Park/PR Meeting Minutes

b. 7/26/2023 – Council Meeting Minutes

c. Approve Resolution of Payments

4. Any Additions to the Agenda – None.

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

6. Open Forum – Public Comments/Concerns – Kevin Mitchell stated he was present today to ask when the residents are going to get their “tax rebates back from the Kuehl’s defaulting on their industrial property?” Mitchell says he has yet to see any credit back on his taxes because of this. Mayor Tollefson said she does not foresee that happening. Mitchell then shifted to complain that “apparently you don’t need permits to build grain dryers in City limits.” He feels the City changes codes to suit their needs. Affield corrected him by stating the grain dryer was covered by MN State Code. Mitchell then said he was told there were no records as the previous building inspector passed away and had all permits with him. Affield confirmed this and said the previous building inspector was Roland Holm from Barnesville, but she suggested he contact the County for permit records. Affield informed Mitchell that Administrative Assistant Heather Johnson sends the permits monthly to the County. Mayor Tollefson asked Mitchell what exactly he was focusing on today? Mitchell said since the dryer was built his property value has decreased by over thirty-thousand dollars (\$30,000). He feels residents were improperly assessed as well, and it seems as though the City is changing laws just to benefit the elevator even though they still emit polluted particles everywhere. Mayor Tollefson said she knows that the MPCA was here to evaluate and test the elevator and the tests came back showing there are no pollutants that would be beyond state standards. She said Council is following the recommendations from the MPCA, and have discussed this at length. Mitchell said he also sees an issue with the changing of the zones ten (10) years ago, when the elevator went from commercial to agricultural. Ralph Mitchell said his issue is that the elevator has since installed a bin by the alley and when they use it there is no junk blocking the alley, but when they are not using the bin all kinds of junk including a large trailer are now

blocking access from his neighbor. He does not see why the City is not doing anything about all of the junk. Chief Vogel said there is a new public nuisance ordinance being discussed during the meeting today and will be in effect soon. He said this ordinance will affect several properties and specifically the junk issue that Mitchell is referring to. Mayor Tollefson agreed and said this ordinance will be very comprehensive and the overall goal is to ensure that properties within the City are clean. She also said with this new ordinance will be the culmination of punitive damages to those who are not in compliance. Vogel urged both Mitchells to read through this ordinance, understand it, and if they still have issues or questions once it goes into effect then they can come back to City Hall. He said this new ordinance may also affect their property too. Mayor Tollefson agreed and said there will be a Public Hearing for this ordinance so that everyone can get a chance to discuss their questions and concerns. R. Mitchell then complained that the City should not have to mow any of BNSF property, and he wondered why the City does not pressure BNSF to do it. Braton said his crew mows it simply so that it looks nice, and it does not take long to do. Mayor Tollefson said the school does the same thing with the trees and bushes that abut the fence along the railroad tracks by the old playground. She encouraged both Mitchells to attend the upcoming meetings and thanked them for their time.

7. Department Reports – Committee Reports -

a. Justin Vogel, Police Chief – Vogel said they have been short staffed but hopefully one officer will be coming back next week. He said the “Night To Unite” event was a success, and there was a little over 200 attendees. Vogel also said that he and his department won the annual “Chiefs Burger Cookoff” competition, and this was the first time Glyndon has won.

b. Travis Braton, Public Works/Maintenance – Braton said he did purchase the concrete saw and have used it already to help with a sinkhole over by 10th Street. He said Arvig will be coming out to investigate as they had previously done some work in that area. Braton said his crew fixed the fire hydrant on Parke Avenue which had been damaged by a vehicle accident. He said Ben Oisen from MN Rural Water will be in town to assist in flushing hydrants the week of August 21st, and if it goes well then there might be no need for a fall flush. Braton said he purchased a Kuhn disc mower for \$928 dollars, and explained it is a mower attachment used to help mow the rocks at the ponds to keep the weeds and cattails down. He said broom brushes for sweeping sand were purchased to start getting ready for winter, and the salt truck is having a rim fixed on it which he will discuss more with the Maintenance Committee. Braton said he will be losing one worker next week as Benjamin Thureen starting football practice and will work part-time until school starts. He also said Minnesota Pump Works was in town last week helping with lift station alarms, stating he is waiting for them to reprogram the motherboards that were installed years ago. Coming up, Braton said he would like to discuss the Southview irrigation pumps, the third person, where to haul snow and curbside recycling. He said he has received one bid so far for the building addition at the Recycling Center, and he plans to have a table set up for Glyndon Days to discuss curbside recycling with the residents.

c. Bob Cuchna, Fire Chief – Not present.

d. Wendy Affield, City Clerk – Affield said she has no updates.

e. Tracy Tollefson, Mayor – Mayor Tollefson said she has nothing to add other than the discussion on the Red River Dispatch Center’s MOU, which will be discussed later in the meeting.

8. Committee Reports – Nothing at this time.

9. Old Business/Unfinished Business Update –

a. **Glyndon Days Discussion** – No update at this time.

b. **Nuisance Ordinance #194** – Mayor Tollefson asked the other Council Members if anyone had any comments, concerns, or feedback after reviewing the draft copy? DeVries said one of his concerns was regarding the section on “*Public Nuisances Offending Morals and Decency*”, *part d*, which talks about selling or processing alcohol without a license. His concern is whether brewing beer at home falls under this category? Vogel agreed this can be looked at some more. DeVries said his other concern was under the section on “*Public Nuisances Affecting Peace and Safety*,” *part g*, which covers fences and other obstructions taller than thirty inches (30”). He said the part concerning “triangular areas at intersections” and what that entails? Vogel said he believes this is referring to intersections with four distinct corners. Norman agreed and said this means that at any corner there cannot be any obstruction to visibility at those corners. As for the home brewing issue, he said he believes there is a limit to the number of gallons a home brewer can have in their home without a permit or license. Vogel said he was not sure, and DeVries said it is kind of a hobby type thing, like making your own jerky at home.

DeVries then said he has a question regarding “*Inoperable Vehicles*.” He is concerned about people having to fix or move their non-operating vehicles in a seven (7) day timespan when they might have to wait for a couple of paychecks first in order to make the repairs. Vogel said this section is mainly for the current vehicles around town which have already been sitting in yards, inoperable, for a long period of time. He said there are exceptions and residents can certainly ask for extensions, but for the most part the seven (7) day timeframe is for those other vehicles he was referring to. DeVries then asked about the section on “*Unlawful Parking and Storage*,” *part 2a*, and is concerned that the twenty-four (24) hour time limit for ice houses is not reasonable, as for example he may go ice fishing one weekend and not go again until the next weekend. He feels the wording should be modified somehow, as this community is definitely a fishing community. DeVries said this can turn a “hobby” quickly into a “pain” if the icehouse is required to sit one hundred feet (100’) back from the front property line. Vogel said it is going to be tough, especially in the wintertime when the snow piles up alongside people’s houses. DeVries agreed and said he really wants the wording revised for this, as he doesn’t want to get phone calls asking why people cannot have an icehouse without proper storage. Mayor Tollefson said she sees both sides, as there are those who fish but there are plenty of people who do not fish and do not want the view of these icehouses. Vogel said a lot of these icehouses are used as campers too, so it is hard to know how to proceed but he agrees it needs to be looked at further. DeVries noted this section also includes pontoons and said it can be difficult to find storage for those too. Braton asked about trailers, and Mayor Tollefson said those will need to be parked outside on a paved, concrete or gravel parking surface or driveway area. She asked Vogel if any trailers parked in back yards will be affected? Vogel said yes, those will also need to go on a parking surface. He said if the item sits too long in a yard, then weeds and long grass grow around it and animals start living under them, causing a nuisance. DeVries said Council needs to consider that people choose to live here instead of a bigger city due to less stringent laws. Vogel agreed and said they need solutions. He said the intent of the one-hundred-foot (100’) setback is to encourage people to park their icehouses, boats, or trailers on the side of their homes, but this can also be a problem if there is not that much room between houses to do so. DeVries said one hundred feet (100) is more or less by the back property line, so that does not make much sense. Mayor Tollefson said the intent is not to make it so people can not enjoy their hobbies, but rather to encourage clean up of properties. Council agreed to have more discussion on this section.

DeVries also asked about the section on “*Noise Control*” that talks about using car horns, and if that applies to people driving by and honking at their neighbors? Vogel said this really is more for those who might be blaring their horns late at night and causing a disturbance.

c. Schedule Public Meeting for Nuisance Ordinance #194 – A Public Meeting for Nuisance Ordinance #194 was scheduled for Wednesday, August 23rd at 5:00 p.m. at the Glyndon Community Center.

d. Review Ordinance #195 – An Ordinance Detailing Administrative Citations and Civil Penalties – Vogel said it will be important to pay attention to the fines and fees as they will add up quickly and could become expensive. Mayor Tollefson asked if the fines need to start out at five hundred dollars (\$500)? Vogel said it does not have to start out at that dollar amount, but this is what surrounding cities are doing. He said the dollar amounts are set this way to ensure compliance with the rules, or to cover court costs in case the City has to abate a property or put any property in storage. Mayor Tollefson asked to clarify that a person would receive a five hundred dollar (\$500) fine immediately after one violation? Vogel said not necessarily, as the person would first receive a written notice of violation. He said along with the notice issued by City Hall there will be photographs of the violation to accompany the letter. After receiving the notice, they will have a period of seven (7) days to comply as well as an opportunity to appeal the violation with the Ordinance Panel. Braton said it is the same process for when a mowing notice is sent out to a resident. Mayor Tollefson said the goal is to get a property cleaned up, but if there is non-compliance are these fines set at a dollar amount to cover attorney fees for the City? Norman said these are administrative fees, and are set to avoid having to involve an attorney. He said it is up to Council to decide on what amounts they want to set these at. Vogel said the City can determine the amounts, but he cautions not to stray too far from what surrounding communities are doing. He said in the past, citations were not helping to influence two (2) different properties to get cleaned up, and so he feels administrative fines are the way to go. Affield said if these amounts do not work the first year, Council can always change them next year. Norman said you want to have fines set to catch people's attention so that they take action. Mayor Tollefson asked Council if they are supportive of these amounts? Vogel recommends they stay close to what other cities are at. Schreiber and DeVries suggested starting at \$250, then \$500, then \$750. Mayor Tollefson asked what happens if there starts to be progress on a property? Vogel said he would then be in contact with the Ordinance Panel and City Hall, but progress would have to continue fully. He said if a property is cleaned fully and in accordance to the ordinance, then the property owner(s) would receive their money back. Vogel said the intent is not for the City to make money on these violations, but simply to encourage clean up. Council then agreed to set the offenses at \$250, \$750, and \$1500. Vogel asked if Council wants the first fine to occur after seven (7) days, then fourteen (14) days for the second offense? Schreiber suggested thirty (30) days for the third offense, as that would put it out at ninety (90) days since the first notice. Vogel then asked if they want to cap the top fine, or continue to add an additional \$1500 after a certain timeframe? Mayor Tollefson suggested perhaps every thirty (30) days? DeVries asked if the City ever does the cleaning itself after a certain period of time? Norman said this is considered trespassing on private property, and Vogel said at that juncture the courts would come into play. He said any property retrieved would need to be stored at the expense of the City, which can be costly, and that is why these fines need to be carefully decided. Vogel said the ultimate goal is to encourage residents to clean up their properties, have the City looking nice, and here are the parameters to do it. He recommends a timeframe of seven (7) days, fourteen (14) days, thirty (30) days, and then every thirty (30) days after that an additional \$1500 dollar fine. DeVries asked why the fines are separated into two categories? Vogel said the administrative offenses are more for things like mowing notices. Schreiber asked to clarify that all money paid for fines would be returned upon compliance? Vogel said that would be up to Council to implement. Council chose not to implement a monetary return of fines paid unless there is a decision made during the appeals process by the Ordinance Panel.

Mayor Tollefson asked what the next steps are, or do they need to schedule a meeting to review further? Vogel said the issue with icehouses needs to be looked at some more, and asked DeVries to get him some numbers on setbacks. DeVries said it would be hard to see a potential resident decide not to

live here if they cannot find a place to store their toys on their property. Norman said they will need to look at what constitutes an icehouse and what would be considered a trailer. Vogel said they will probably need to add in verbiage for trailers, motorhomes, campers, etc. He said he would recommend not using a specific timeframe for moving a vehicle, as that gets to be complicated when trying to keep track. He also suggested not allowing people to simply move things to their backyards either. Vogel also cautioned this ordinance will be affecting some businesses as well, and this type of ordinance can open up a big can of worms which is why he wants Council to carefully review everything and take their time. Braton asked when the ordinance would be ready? Affield said after two readings, this ordinance could be ready tentatively in October. Norman asked if there will be any advance notice or conversations with local businesses? Vogel said that had been discussed, but they will need to wait until some more review has been done. Mayor Tollefson suggested having an additional meeting prior to the Public Meeting in order to finalize some of the things they discussed tonight. Vogel agreed and recommended the Ordinance Committee meet one more time prior. Council agreed to schedule a Special Meeting for the Council on Wednesday, August 16th at 6:00 p.m.

e. Review Ordinance #166 – An Ordinance Adopting the 2023 Fee Schedule – Reviewed above.

f. Approve Dakota Playgrounds Installation of Park Equipment, Mulch, and Border for Johnson Park – Approve the Additional Charge for the Added Equipment – Approve Using \$13,167.03 of Escrow Park Funds, \$15,000 out of the Park Equipment Budget and \$76,577.97 of ARPA Funds – Affield said the second bid that came in was higher than the first bid, at \$111,000, and she feels the equipment from Dakota Playground is better quality. A motion to approve the purchase of playground equipment/mulch/border/labor costs from Dakota Playground was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

10. New Business

a. 2024 Certified LGA Amount is \$454,449.00 – Informational only.

b. Approve Resolution 2023-7 – A Resolution Providing for the Competitive Negotiated Sale of \$3,005,000 General Obligation Improvement Bonds, Series 2023A for Charleswood Addition – Affield said once this is approved, Jason Murray can move forward with getting the bond ready. A motion to approve was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

c. Approve the Memorandum of Understanding Between Dilworth, Hawley, Barnesville, and Clay County Related to the Joint Powers Agreement for the Joint Dispatch Center Known as Red River Regional Dispatch Center – Mayor Tollefson explained this is the six percent (6%) portion of fees the City will pay to the RRDC for a three-year period, which is based on population size. She said each city is assessed a portion of the RRDC's total budget to help pay for dispatch services. Vogel explained dispatch fees are now rolled in with his New World fees, which is the Police Department's computer system. A motion to approve the MOU was made by Bryant DeVries, seconded by Justin Schreiber. All in favor.
Motion Carried.

d. July 2023 Expense/Revenue Budget Sheets for Review – Informational only.

e. Present Budget to Council –

• **Maintenance/Water/Sewer Department Budget – Travis Braton** – Braton presented his budget in the following categories, based on items which will be increased or decreased:

General Fund – Maintenance – Braton said he added a *Safety Equipment/Training* line which will have a budget of \$1,000 dollars for 2024. This will be for certain purchases not needing to be coded as *Operating Supplies*, as this line now will decrease to \$8,000 dollars for 2024. *Vehicle Repair/Maintenance* will be increased to \$9,000 dollars due to upcoming repairs on the City pickup trucks. *Motor Fuels* will increase to \$8,000 dollars due to gas prices. *Chemicals and Chem. Products* will decrease to \$3,000 dollars due to in-house spraying at the ponds and not hiring this service out. *Mosquito Spraying* will also decrease down to \$3,000 dollars as there is still plenty of chemicals on hand and there are funds in the escrow account. *Forestry* was increased up to \$7,000 dollars as there are some large trees around town which will need to be cut or brought down. Schreiber asked if utility rates will be adjusted due to the changes in mosquito spraying and forestry? Affield said yes. *Street Maintenance Materials* will increase to \$17,000 dollars due to improvements coming up on Andrews Avenue. Schreiber asked if there will be a seal coating project coming up? Braton said Southview should be the next seal coating project. *Motor Vehicles* will increase to \$100 dollars due since it is for registration/tabs every other year. Affield said the \$15,000 dollars in the *Park Equipment* line can be used next year towards a gazebo in Anstadt Park. Braton said after that the City should be up to date on park equipment, other than maintenance and upkeep. He said down the road he will start looking at a new pickup truck purchase, which would go under the *Equipment Purchases* line and would be covered under half water, half sewer.

Water Fund – The *Salaries* line will increase to \$62,531.75 dollars, and Affield explained this number is just the step amounts, no COLA's added in. She said she will have more information on what a third person added will come to at the next meeting, and she also knocked down the part-time seasonal salary to \$12,000 dollars instead of \$24,000 dollars. *Uniforms* will increase to \$600 dollars, and Braton said he would like to look at getting the same shirts and hats for all maintenance employees. He said he would like to require steel-toe boots as part of the standard uniform as well. *Computer Technology* will increase slightly to \$3,300 dollars. *General Training* will increase to \$2,500 dollars, as there will be more training offered to both Wegenast and the third hire. *Safety Equipment/Training* was a new line added at \$1,000 dollars for safety items needed at the water treatment plant. Schreiber asked if the *Operating Supplies* line needs to be at \$10,000 dollars when only around \$2,000 dollars has been spent so far this year? Braton said he is not sure what his predecessor spent so much on, so he will need to look at last year's receipts to be sure. Affield said as they get closer to finalizing the budget, this line could be brought down more. Braton said he still needs to purchase a welder and blow torch, which are items that fall under the operating supplies category. The *Travel/Mileage Expense* line was decreased to \$0.00 and will be deleted as it will be combined with the *General Training* line. *Repairs/Maintenance Building* line will be increased to \$5,000 dollars as there will be new items and repairs coming up at the water treatment plant. *Infrastructure Repairs* line is increasing to \$3,500 dollars for hydrant repairs and labor costs. Braton said he intends to either purchase a hydrant or parts for one every three years. Referring to the *Water & Yard Meters* line, Schreiber asked if there are enough water meters on hand for the upcoming Charleswood Addition? Braton said he has enough on hand to finish Southview Addition, but will be putting in an order next month to cover Charleswood. *Land Rental* line is increasing slightly to \$710 dollars, which covers the BNSF land lease. The *Generator Lease* line is now \$0.00 as it was paid off this year.

Sewer Fund – The *Salaries* line reflects the same changes as in the Water Fund. *Office Supplies* increased to \$600 dollars. *Uniforms* increased the same as in the Water Fund, to \$600 dollars, and is split 50/50. *Computer Technology* line increased to \$3,300 dollars. *General Training* increased to \$2,500 dollars. *Chemicals and Chem Products* increased to \$4,000 dollars, and Braton said this will be

for the purchase of more testing products. *Postage* increased slightly to \$2,300 dollars. As in the Water Fund, the *Travel/Mileage Expense* line will be zeroed out and combined with *General Training*. *Repairs/Maintenance Buildings* has been added by Braton at \$2,500 dollars, which will include new fencing at the ponds, and possibly some work around the lift stations. *Rentals (General)* is a new line at \$5,000 dollars, and Braton said he added this for the upcoming week-long rental of an excavator for several projects around town. Braton noted the *Water Shed District-BRRWD* line is for the clean up and tracking of beaver dams by the Buffalo River. He reiterated if a new pickup truck is purchased, the *Motor Vehicles* line would reflect funds coming from half water, half sewer. In the future, Braton said he would like to budget for a new vehicle every five years, much like the Police Department does.

f. At this time Mayor Tollefson will Close the Regular Council Meeting as Permitted by MN Statute 13.D.03, for Contract Labor Negotiations –

Mayor Tollefson read aloud the following: “The regular council meeting will be closed at this time for contract labor negotiations as permitted by Minnesota Statute 13.D.03.”

A motion to close the regular meeting was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

*Regular Meeting Closed at 8:46 a.m.

*Regular Meeting Reopened at 9:28 a.m.

g. Possible Discussion Concerning Labor Negotiations – A motion to approve the labor negotiations, pending language changes, was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

Vogel explained the stipend is now locked in at the salary of \$12,000 dollars per year, and any hours worked beyond a 10-hour pay period will go into a “comp bank”, not to accumulate more than sixty (60) hours within a calendar year and must be used entirely by the end of the year. He said this will begin starting this pay period moving forward. A motion to approve the stipend changes was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

A motion to approve the inclusion of COLA for the next three years of 4%, 4%, 3% as well as a 2% pay increase for longevity at year five (5) and year ten (10) of employment (pending the start date of full-time status) was made by Justin Schreiber, seconded by Bryant DeVries. All in favor.
Motion Carried.

11. Time to Discuss Additions to the Agenda –

12. Miscellaneous Announcements & Recognitions –

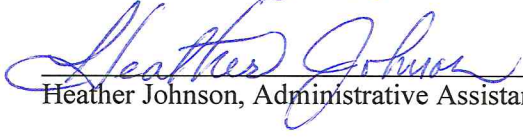
13. Adjournment – A motion was made by Justin Schreiber to adjourn at 9:30 a.m., seconded by Bryant DeVries. All in favor.
Motion Carried.



Tracy Tollefson, Mayor



Wendy Affield, City Clerk



Heather Johnson, Administrative Assistant

August 9, 2023 Council Meeting Minutes