

Glyndon City Council

07/25/2018

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

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 6:34 p.m.
2. **Roll Call:** Council Members Present: Dave Owings, Justin Schreiber, Joe Olson and Kimberly Savageau; Police Chief Mike Cline, Public Works Supervisor Scott Lofgren, City Clerk Wendy Affield, Administrative Assistant Susan Dayley, City Engineers Kris Carlson and Alex Ranz.

As Per Sign in Sheet: Darrell Sjothun

3. **Motion to Approve Consent Agenda**
 - a. Minutes – 7/11/18 Council Meeting
 - b. Approve Resolution of Payments – A motion was made by Joe Olson to approve the Consent Agenda, seconded by Dave Owings. All in favor.
Motion Carried.

4. **Additions to Agenda**
 - Dave Owings – August 22, 2018 City Council Meeting

5. **Motion to Approve Agenda**

A motion to approve the 7/25/2018 Agenda was made by Justin Schreiber, seconded by Kimberly Savageau. All in favor.
Motion Carried.

6. **New Business**
 - a. **Culvert Gate Valve – 12th Street Ditch – Joe Olson** – Carlson stated he met with the property owner who resides at the corner of Lyndon Avenue and 12th Street to discuss their concerns of water in the ditch along 12th Street. Carlson stated there are workmanship issues and feels there are obstructions in the ditch that causes the water to flow east when it is designed to flow west. Lofgren temporarily blocked off the invert by placing sandbags in front of the culvert so the water flow could be observed when it rained. Carlson explained there was a significant rain event of 1½ inches so they were able to study the areas in question. One of the areas of concern is located at the corner of County Road 17 and 12th Street, this spot is impeding the water flow. Carlson informed Council Sellin Bros. had a washout at this corner so they installed an erosion blanket which made it unable to mow. Carlson stated, since then, Sellin Bros. has cleaned out the area and Richards was able to mow. Carlson reported there were a few places washed out between County Road 17 and the entrance of Southview where the top soil will need to be removed. Carlson confirmed the water in the ditch has receded and once the grass is established together with some minor grading and general clean-up, the ditch should function the way it was designed. Carlson researched the flap gate option mentioned by Olson, but believes it is not very cost effective. Carlson proposes keeping the sand bags in place while the west side of the ditch is cleaned up to satisfaction. Carlson explained, when there is more rain, we can test the water flow or Lofgren can turn the pumps on to establish if it is flowing properly. Carlson believes a more cost-effective way would be to have a steel plate system made, then bolted on the

culvert so it can be closed when water is released. Carlson explained this is a County ditch, things we would like to do would have to be approved by the County. Carlson has discussed this with the County Engineer and they are willing to assist with the water flow concern. Carlson informed Council ACS did clean up and reseed around their pedestals. Carlson and Ranz surveyed all the culverts and ditches between County Road 17 and Parke Avenue which they confirmed Glyndon has very little slope. Carlson explained the culvert at Magnolia Court is too low to let the water flow into the ditch and this will need to be addressed, but was not an issue caused by work currently done in that location. Lofgren reported Arvig has returned to repair the areas they excavated. Mayor Johnson asked Lofgren to check with Arvig regarding the pedestal west of Tollagson's.

Moved to Item 7.b.

7. Old Business/Unfinished Business

a. Project Updates – Kris Carlson – Carlson stated the goal in Southview is to complete the work along the 12th Street ditch. Carlson informed Council he is close to having the figures for the Southview special assessments, he will meet with Affield to confirm all costs for that are accounted for.

Carlson reported he has been in touch with the County regarding Parke Avenue and will collect signatures from the Seter's for the closing. Carlson confirmed the County will pay recording fees and all closing costs, the fees will then be invoiced, based on the Memorandum of Understanding with the City. Carlson stated Seter's are required to pay the second half of taxes on the property before the documents can be recorded. Carlson noted the school has signed the Quit Claim Deed so everything should be in order.

Carlson informed Council with the Water Main Looping Project, Sellin Bros. Inc. are working through their subcontractors to get things completed in order to receive the final payment.

Moved to Item 7.c.

b. – Bids from Asphalt Preservation Company Inc. and Morris Sealcoat & Trucking, Inc. – Carlson informed Council he solicited bids from three (3) companies for the seal coating project. Carlson reported one of them came in at approximately \$58,000, which was over the engineer's estimated cost of the project. Carlson stated because of the high bid, more bids were pursued. Carlson informed Council a bid from APC, Inc., based out of Detroit Lakes, Minnesota, submitted a quote at approximately \$28,000. Carlson then contacted the references provided and stated they were pleased with their workmanship.

Affield questioned why two of the three cul-de-sacs on Lyndon were going to be seal coated and not the third. Carlson stated two were indicated on the list for the project but we can add the third. Council discussed the budget for seal coating projects. Savageau stated since the bid came in low, now would be the time to consider adding 10th Street and Seter's Circle into the project. Carlson suggested to continue moving forward with the street maintenance program and will contact APC, Inc. to inquire if they offer a maintenance program. Carlson will look at the report that was completed a few year ago and see which type of maintenance is needed on the streets. Carlson recommended Council accept the bid from APC, Inc. for the Seal & Crack Sealing Project along with confirming which streets that can be done this year, keeping the costs within budget. Carlson stated this project will start towards the end of August 2018. A motion was made by Dave Owings to accept the bid for the 2018 Seal Coat & Crack Sealing Project from APC, Inc., seconded by Kimberly Savageau. All in favor.

Motion Carried.

Moved to Item 7.a.

c. 418 2nd Street Discussion – Mayor Johnson explained, directly to the property owner, things need to be cleaned up, all vehicles not licensed or drivable need to be removed from the property and not parked along the City street. Mayor Johnson asked if the trench has been filled in. Lofgren was concerned the trench may cause the street to cave in. Affield responded the trench was filled in but not inspected or pressure tested by the City Building Inspector. Mayor Johnson specifically recalls instructing the property owner to have the work inspected before filling in the trench, stating a licensed plumber needed to connect the water and sewer lines from the owner's property to the City water and sewer lines. Sjothun stated after the plumber he hired connected the water and sewer lines, his excavator filled in the trench when he was not around but pictures were taken. Mayor Johnson explained he expects timeframes as to when parts of the building project will be complete. Olson expressed this is, at least, the third year in the construction process and has received backlash from residents due to the fact of the area looking like a farm yard. Olson stated a property owner cannot have nine (9) vehicles, a boat, and debris all over the property. Olson explained residents are asking him how and why the City has let this problem happen and continue to go on. Olson explained, typically, cities do not let a project linger on this long. Olson stated the taxes have not been paid on the property for over three (3) years, which historically if this happens the property goes through a process and if not paid by a certain date the property becomes the City's along with the financial burden. Olson wondered if Sjothun would consider deeding the property to the City if the project feels like it is too much or he is unable to finish the work within a month. Sjothun apologized to Council for the disarray the property is in. Olson conveyed the concerns of residents whose property value was lessened because of the untidiness of the property on the east side of town. Schreiber questioned Sjothun what his plan for progress is for the next 20-60 days. Sjothun stated he would be removing the vehicles, cleaning up and seeding the yard, installing a driveway and complete construction on the house. Schreiber wondered if the goal would be to have this completed by fall, in which Sjothun stated yes. Schreiber wants to be certain the property owner is following the proper procedures with inspections, permits, and making sure everything is up to code for the property to be a safe environment to live in. Owings wanted to confirm whether or not the plumbing is connected to the City sewer and water. Mayor Johnson stated it was not. Owings then commented it would have to be dug up again to have it connected. Lofgren mentioned the curb stop is 18 or more feet into their yard and is not on the property line where it should be located. Olson addressed the problem concerning the trench undermining the street, stating if this happens the City would have to repair the street, which in turn, increases the tax levy for residents. Olson firmly stated to Sjothun he needs to get his funds in order, have a plan in place, and follow through with it or accept the City's offer to deed the property over to the City before legal action gets underway. Mayor Johnson reiterated to Sjothun the work on the sewer and water lines need to be inspected, pressure tested and documented by the City Building Inspector. Olson stated a plan of action needs to be in place to resolve this issue in order to set a clear vision of what is exactly expected in the timeframe indicated. Olson stated the City Attorney needs to be included on the course of action. Savageau commented one of the biggest priorities is to get the exterior of the home completed along with cleaning up the yard and keeping it clean. Chief Cline reiterated the vehicles have to be removed from the property, which includes trailers, boats, campers, and any unlicensed vehicles. Lofgren suggested having a deadline in place when tasks need to be completed. Affield communicated City Attorney Ken Norman suggested creating a resolution with specific dates and timelines when items need to be completed. Owings questioned why certified mail sent to Sjothun and Peterson came back to the City. Sjothun stated they are no longer receiving mail in Moorhead, the Glyndon Post Office holds their mail and they stop in and

pick it up. Owings asked if he has received any mail from Miller, Norman and Associates Law Firm. Sjothun stated he has not, he was told he was going to be receiving a letter. Since the property taxes are not current, Owings wants to know if they have arrangements with the County to become current on their taxes, and if so, when will it be. Owings stated if the Council is given specific dates and times when certain things are going to be done, they can work with that, but they cannot help if they do not have a specific timeline. Olson stated the City will have to make deadlines on the details when they need to be completed and if they are not followed through, the City will contact their Attorney for direction on how to proceed. Olson recommends the City contact Mr. Norman, give him an appropriate date for deadlines and if they are not met, the City will let the legal process go through its course. Savageau suggested Sjothun keep in contact with City Hall or Mayor Johnson as to how progress is going. Sjothun requested from Council to defer or lower the special assessments on the property. Olson stated the City cannot approve this request for him in order to ease his financial burdens. Sjothun then asked if the penalties for late taxes could be waved up until the time the lift station was working. Discussion among Council determined there would be no penalties or late fees waved. Mayor Johnson inquired which permits Sjothun needs in order to continue work on the house. Schreiber stated permits are valid for 180 days and Sjothun's permits have expired and cannot be continued unless there is visual progress made on the project. Council requested the presence of Mr. Schroeder, Mr. Norman, Mr. Sjothun and Ms. Peterson at the next City Council meeting on Wednesday, August 8, 2018 at 7:00 a.m. Owings insisted Sjothun and Ms. Peterson's provide their complete and current addresses along with phone numbers to the City in order to keep in contact with them.

8. Department Reports / Committee Reports

a. Mike Cline, Police Chief – The department has logged 1831 calls of service for the year, averaging 262 calls of service per month. Chief Cline stated the department has been busy.

b. Bob Cuchna, Fire Chief – Absent – On behalf of Fire Chief Bob Cuchna, Mayor Johnson shared, Fire Chief Bob Cuchna was approached by Sanford asking for support of an FM Ambulance Substation to be located in Glyndon, in which the Council will have future discussions in response to this request.

c. Scott Lofgren, Maintenance/Public Works Supervisor – Lofgren reported the generator was ordered that was approved at the June 13, 2018 Council Meeting. Lofgren stated it takes 8-10 weeks to receive the generator and he has been given the specs for the concrete slab that will be poured. Lofgren informed Council the Sentence to Serve Crew will be working on August 8th and 9th to help set up for Glyndon Days.

d. Wendy Affield, City Clerk – Affield made note on the invoices for Southview that are on the Expense Sheet pertaining to the renewal on the Letter of Credit which the City will pay 40% in the amount of \$7,125.54 and will be paid directly to Choice Financial Bank. Savageau requested verification on the amount from Ken Norman and David Drown. Affield stated she recently received a phone call from a person possibly interested in a Stockwood lot. Council discussed the bond payment amount the City will be looking at for the Parke Avenue project. Carlson informed Council since the City did not bond for the project this year, the County will hold the current invoices received until the bond is in place. Olson asked if numbers are available for residents concerning the special assessments on their property. Carlson stated a reasonable estimate was given at the Public Hearing. Affield stated residents can call City Hall to find out the preliminary amount Ulteig figured. Owings asked Carlson when the Quiet Zone will be completed. Carlson stated the railroad needs to complete their crossings this year so it does not hold up the Parke Avenue and Quiet Zone Projects next year.

Additions to Agenda

➤ Dave Owings – August 22, 2018 City Council Meeting – Owings stated he will not be in attendance of the August 22, 2018 Council Meeting. City Attorney, Ken Norman confirmed with the LOMC, Owings is able to join the meeting via Skype and allowed to vote on agenda items. Owings explained the requirements in order to do this via Skype, he needs to be able to hear the full Council and everyone needs to be able to hear him, also the Mayor or person residing over the meeting has to be present.

9. **Open Forum –**

10. **Miscellaneous Announcements –**

11. **Adjournment** - A motion to adjourn at 7:54 p.m. was made by Justin Schreiber, seconded by Kimberly Savageau. All in favor.
Motion Carried.

Cecil Johnson, Mayor

Susan Dayley, Administrative Assistant

Wendy Affield, City Clerk

July 25, 2018 Glyndon City Council Minutes