

**Glyndon City Council 2/15/2017**  
Special Council Meeting 6:00 p.m.  
Glyndon City Hall – Council Chambers

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 6:00 p.m.
2. **Roll Call:** Council Members Present: Dave Owings, Justin Schreiber, Joe Olson and Kimberly Savageau; City Clerk Wendy Affield, City Attorney Ken Norman, Police Chief Michael Cline, Fire Chief Bob Cuchna, City Engineers Chris Thorson and Alex Ranz.

**As Per Sign in Sheet:** Jim & Leslie Sullivan, Kelly Richards, Darla Tucker, Ken Parke, Dave Pompe, Jaime & Val Anderson, Heather Kunza, Brent Moen, Shaun Erickson, Troy Tooze, Nathan Anderson, Bryant Devries, Jacob Cuchna, Eric Mickelson, Chris Goltz, Dane Dudgeon, Jacque Dudgeon, and Maria Ranz

3. **Discussion concerning the Preliminary Replat and Vacation of Streets in the Undeveloped Area of Centennial Addition (Southview Addition) – Jim Sullivan** – The audience and Council listened while Jim Sullivan discussed the background information in regards to the housing addition he and Kelly Richards would like to develop. Sullivan purchased the land approximately ten (10) years ago and has not had an opportunity to move forward with the Development. Kelly Richards approached Sullivan stating he was interested in purchasing a portion of his land and explained what his ideas were. Sullivan decided it would be a good fit for both of them as to their long-term goals and ideas for the development. Sullivan would develop homes on fifty-foot (50') lots for first time home buyers to keep infrastructure costs down. At the previous meeting, Sullivan understood there was concerns regarding 15<sup>th</sup> Street not being a through street. Richards stated he would like to create a higher end development, he is giving up three (3) lots for the water retention pond and four (4) lots for a City Park. Richards does not want a street through his development because he feels it would create a 'drag strip' in a residential area. He would also be losing three (3) lots to have a street all the way through to County Road 17. Richards discussed the work session that consisted of Mayor Johnson, Councilman Owings, himself along with the Engineers and Attorneys from all parties, explaining he thought it was decided that day to leave everything the way it shows on the replat.

Mayor Johnson asked the audience if they have any questions and concerns.

Darla Tucker asked why the City decided to change from the initial plan that was drafted and sent to the home owners, then turn around and change the lot sizes? She wants to know where and why this change came about because the lots were bigger on the original plan. Mayor Johnson stated the change came from the two Developers, not the City. Tucker stated a development with subsidiary housing will reduce the surrounding homes property values. There will be additional housing with more pressure on local services, city infrastructure and more traffic congestion. Tucker stated the school district is already being over taxed and currently there is traffic congestion with three (3) daycares along that roadway, if more housing is added the congestion will become even greater. Tucker stated the "drag strip" is no different than 12<sup>th</sup> Street to County 17, the safety issue would decrease if the development had another outlet. Tucker stated the Developers have closed off any chances of new developments growing to the south. Tucker wants to know if there will be sidewalks on Parke Avenue, south of 12<sup>th</sup> Street. Tucker stated she

pays TIF taxes every year from the original land Developer which never seems to end. Will homes in the new development pay on this TIF tax as well, or will they be paying TIF taxes on the new development? Tucker stated sixty (60) houses with one outlet does not benefit anyone but the Developer. Mayor Johnson stated the development started with the current Centennial Addition and was supposed to be finished in three (3) phases. The first Developer stopped building homes and sold the remaining property to Mr. Sullivan. Mayor Johnson stated he would like to see the City grow and everyone would benefit with more housing because it would help expand the tax base. Tucker stated she welcomes new growth but does not like the one outlet access and smaller lots, most developments have multiple inlets and outlets. Mayor Johnson stated it will be up to the City Council, on behalf of the residents, whether or not to vacate those specific streets. Dave Pompe stated a perfect example of the safety issue is, on the way to City Hall tonight, there was a child on a bike, not paying attention that could have been hit because of the narrow streets and now you want to double the amount of homes and traffic going past the busy City Park. Pompe stated he was disappointed when he did not receive the addresses from Mr. Sullivan for the homes he built in other developments, he would have liked to have seen what he was planning to build on those lot sizes prior to tonight's meeting. Sullivan asked Pompe for his information so he could contact him with the addresses. Pompe has done research on his own and believes the City will be putting a dead end on a street that is a main road through the City so future development could not occur to the south. Savageau pointed out there is a through street off Parke Avenue to continue to the south. Pompe asked how do you get through the loop. Savageau stated you would need to drive around the loop that is currently presented, the next development will have an east/west corridor out to County Road 17. Pompe raised the question as to whether or not the City will continue the main north/south thoroughfare continuing on Parke Avenue. Mayor Johnson stated Metro Cog will be assessing the new development and advise the City where the streets should go. Pompe asked the Engineers why would you loop off one corridor and have a dead end?

Jaime Anderson stated she has worked for the Barnesville Planning Commission and they also had the same issues in their new developments concerning smaller lots for starter homes. She stated there are better ways to resolve the issues with more homes and traffic. She suggested cutting back two (2) or three (3) lots to spread out with more space to have the potential of quality homes being built instead of the quantity of homes. Darla Tucker stated there is research that states lower housing income families are not taking into consideration the added costs of transportation to drive to Fargo-Moorhead. She stated, according to research, lower income families tend to lose their homes in foreclosure, so how would this benefit the City? Councilman Olson asked how the design of the developments came to be, one with less density and one with more density? How did the size of the lots in each development change so much? Olson prefers not to call the smaller lots low income homes, they are homes for individuals who do not want to take care of a large home or yard. Sullivan explained he was in the process of asking the City to create a higher density ordinance to allow him to build more affordable housing. He then contacted a contractor who was interested in buying twenty (20) lots a year to construct affordable housing. Kelly Richards approached Sullivan, stating he would like to sell custom homes, so along with Sullivan's higher density affordable housing they both agreed this could work. Richards stated he was retired, saw there were 54 acres to develop, decided to begin a new development in Glyndon along with the Sullivan's. Randy Olson stated the Council is here to work for the citizens of Glyndon and the Developers are business people considering a higher population density in these new additions. Randy Olson stated the Chief of Police has concerns of controlling the population in the event of evacuations and assumes the Fire Chief feels the same. Mayor Johnson stated the City has had many calls asking about available city lots and when the addition will become available. Randy Olson stated the residents do support growth of the City that will stabilize the quality and safety of life. Joe Olson asked if people are looking for higher density areas or better quality of life and personal safety in a small town, larger lots with a \$190,000 home? Sullivan commented the market of the plat that is proposed, Thompson Builders could not erect an affordable house on a 75-foot lot, due to the cost of installing the infrastructure required. There is an abundance of 75-foot lots in Moorhead which have not sold because of the high specials attached to the

lot. The builder stated he would be able to construct an affordable home on smaller lots which would appeal to families looking for affordable housing, smaller lots are in higher demand. Sullivan stated Council informed him 37½ foot lots were not what they wanted to see in Glyndon so he redesigned the lots to fifty feet (50'). Sullivan stated he does not build custom homes but Kelly Richards would in his addition. Someone from the audience asked if one addition could be approved before the other or vice versa? Savageau stated the Planning Commission looked at this option but if one addition is approved before the other, this will not resolve the issues of the dead end and through accessibility between the two additions that everyone is concerned about. Savageau informed the audience one thing that has changed since the original Centennial Addition was platted in 1996 is the water retention portion of it, because of this, the layout had to be changed to best serve the development. The City would prefer to have one retention pond for both additions instead of two separate ones because it is expensive to build and maintain. Tying the two developments into one retention pond saves money on maintenance for the City. Savageau stated water drainage and lift stations are a huge cost. All the water in our area flows to the northwest corner so there will be storm water issues to deal with that are expensive. In order to do this, you have to have quite a few homes to make it a feasible project otherwise the land will sit empty and the City would receive minimal taxes on the property if we do not have homes built in the development. Pompe asked who would be paying for widening the street by Johnson Park? Thorson stated, if the City's assessment policy states the adjacent properties to the street are benefited, it would be special assessed to the property owners. Pompe asked if it would be assessed around \$8,000 per house? Ken Norman stated when the original Centennial Subdivision was created there was a Tax Increment Financing District made, the way in which TIF works, it does not increase your real estate taxes, if the City was not collecting the TIF amount, you would still be paying the same tax, it would just be separated amongst the County, City and School District. This was done because Glyndon needed to attract a Builder who would put lots in the City. Sefkow used TIF in the communities of Barnesville and Fergus Falls along with several similar developments. When the homes were built, in order to qualify for TIF, the initial purchaser had to certify the level of income they had. This was affordable housing and TIF does not increase your taxes. When the TIF ends, taxes will remain the same or can be higher depending on the tax levy. Affield stated currently, the money collected for property taxes goes to the Developer of Centennial and when the TIF District comes to an end, the property taxes will come to the City. Norman stated the reason TIF is used, is to make it affordable for the Developer to make the investment in a project. TIF funds are utilized for very specific purposes; land acquisitions to serve the public interest, which may include land slated for new infrastructure, new development, redevelopment, conservation, recreation, or other objectives. Norman stated residents are not paying extra taxes because of TIF. Darla Tucker asked if a person sells their home, does the TIF carry on to the new owner and are the original home owners refinancing to the City at a higher interest rate? Norman stated once the home is sold the real estate taxes do not change for the purchaser or the seller. Savageau stated because the first buyer met the income qualifications for TIF, it carries through until it is off the tax role. The second purchaser of the home does not have to meet income qualifications and the TIF carries through on the tax role. There has to be a structure built on the property within three (3) years when the TIF started and does not fall off if the first buyer met the income qualification. An easier way of looking at it is, instead of the City taking out a bond and special assessing for the improvements, the TIF process helps cities not carry the burden of a bond payment.

Pompe asked again, who will be paying to widen Parke Avenue by the park, the whole City? Are the current Centennial residents going to pay for it? Mayor Johnson directed this question to Thorson, the City Engineer, as to whom will be paying for this. Thorson stated it will not be a hundred percent (100%) but eighty percent (80%) or what the Council deems necessary for the project to move forward. Thorson stated if the City's Assessment Policy states the adjacent properties to the street are benefited, it would be special assessed to the property owners.

Joe Olson asked the residents whether the biggest concern was the street being a dead end or the density of homes. The audience responded, it is both issues. One person's concern was the flow of traffic on the road being closed because there would be constant vehicle traffic past their homes. With many young children in the area and children waiting for the school bus, this is a huge safety concern. Olson asked if the back flow to County Road 17 was a concern. The audience said it was. A resident stated there are 65 lots and an average of 2.5 cars per house would generate 350 vehicles going back and forth on that street every day. If there are daycares in the area, it would mean even more traffic of 400 or more vehicles. In the winter, where is the snow going to go? Everything is going to be compacted which will create other issues.

Val Anderson stated she agrees with the audience but does not agree with the first-time home buyer loans to be \$190,000, she thinks it was set at a maximum of \$120,000. Anderson stated Thompson Homes are not well desired homes if someone is looking for a home that is not a 'cookie cutter home'. She is also concerned of the safety of the children in the neighborhood and stated they purchased their home because it was in a safe area to raise a family in the future. She feels the City is in favor of the new replat but the citizens are not. Anderson thinks the issue is more money in the City's pocket instead of the safety and well-being of the citizens. Mayor Johnson stated he disagrees with her statement and this is not the case of the City needing more money. Anderson stated what she is perceiving from both business men regarding the density issue in the developments of not wanting a through street, is they want more property to sell. She is also concerned of the wear and tear on the streets due to the increased traffic, this will cause more frequent maintenance. What happens if a house in the cul-de-sac catches fire, how do the emergency vehicles get through to properly evacuate or handle the situation with congestion of vehicles going out and emergency vehicles going in? Richards stated there is access for emergency vehicles to get through the area. Anderson stated with vehicles parked on the street, she does not see it that way, stating there is too much congestion. She also believes surrounding property values will drop with lower priced homes in the community.

Chris Goltz added astute potential customers for these lots will soon be unhappy with the reality of the situation. Olson asked which issue. Goltz responded it would be both density and street issues.

Chief Cline stated he and Fire Chief Cuchna assessed the maps and are concerned about the streets in order to respond to an emergency in those areas. They recommend 15<sup>th</sup> Street be a through street for easier emergency vehicle access. Fire Chief Cuchna stated he definitely would like 15<sup>th</sup> Street and Parke Avenue be through streets for easier access in case of an emergency and needs for City services. Chief Cuchna anticipates the building inspector's professional opinion on the plat as well. Savageau stated there are other 50 foot lots in the City that have homes on them and perceives the citizens are criticizing families who live in the homes on those lots. We cannot discriminate against people who cannot afford a higher end home. Pompe stated the Police Chief and Fire Chief are on board with having through streets in the development. Savageau stated the Planning Commission has met with Police Chief Cline and Fire Chief Cuchna and what was said by them tonight is not what was said at a prior Planning Commission meeting they attended.

Olson asked if they were concerned about only the streets, what about the density issue? If the street issue was resolved, is the high density still going to be an issue? From an engineer's standpoint, is there another option? Olson's question to the Developers, is there a reason why the high density is developed the way it is? Is this the best way and the only thing you can do to make the development thrive? Sullivan stated his opinion is, to make this project successful, you do need high density areas for affordable housing.

Mayor Johnson reminded the audience this forum is for the citizens to be heard, not to be debated between other audience members. Mayor Johnson stated the Council does want to hear the citizen's

opinions because they are the ones who voted them on to the City Council and we want to help make the best decision for everyone.

A resident asked if Richards and Sullivan could split the sizes of some lots in the two developments to alleviate some of the traffic congestion?

Bryant Devries suggested moving forward, on the east side of Johnson Park, the City could construct a through road for two blocks. Pompe stated if this is the solution, how is it going to get paid for? Devries recommends when Parke Avenue is widened and under construction, the City should implement building a street on the east side of Johnson Park.

A resident asked why 15<sup>th</sup> Street was not a through street? Savageau stated the design came from the Developers so they would need to answer that question. Richards stated he wanted to create something a little different, they came up with this plan because so much land was being given up for the water retention pond and park, this was how it flowed together. Richards does not want a straight through street for vehicles to speed on. Someone from the audience stated the layout does not flow well, it just stops.

Sullivan stated he would not mind if a street went through the two developments. Sullivan stated if he loses a lot or two for additional safety, this is a reasonable option to him. Pompe stated Richards' and Sullivan's additions support growth in the City but, the two developments do not work together with their current plan. Savageau asked Pompe if he is saying it would be okay if the west portion of Richards addition was approved and 15<sup>th</sup> Street closed? Pompe stated it does not need to be a loop, it could be a street with cul-de-sacs, and other options. Savageau stated cities are moving away from cul-de-sacs because it is very hard to remove the snow. When there is a street that loops through, it is much easier for the City Maintenance to maintain. If the City would just develop Richard's area, 15<sup>th</sup> Street would not go through, it would be closed off which cannot be reopened for Sullivan's development. Kimberly informed the audience Kelly is not going off the original plan, he presented a new plat. Pompe and Tucker stated it is not about the developers, it is about the residents. Savageau stated the reason we are here is because the ones who own the land are presenting a plan to develop it, we cannot approve one and not the other, we need to discuss and come up with the best solution. Olson agrees with Savageau whether or not Sullivan's development is approved for high density, we still need a wide through street so people are not forced to use 12<sup>th</sup> Street. It will allow people to have an option of which street they drive on.

Norman questioned whether or not this property has already been rezoned. Savageau stated it has and the Developers along with their Engineers have presented a plan that meets the zoning requirements. The density issue rests with the Developer since they are meeting the City requirements in that particular area.

A new resident to Glyndon stated the street issue and the amount of traffic is a priority for the City. He stated when they were looking for a home, quite a few of the Thompson Homes were sitting empty, which is who Sullivan named for a possible home builder in Glyndon. Sullivan was asked if he develops, sells lots and builds homes as well? Sullivan stated they do, normally they start developments that are close to sewer and water. Sullivan stated they put in the sewer, water and streets when developing a new addition. Schreiber asked Sullivan how many homes he builds each year. Sullivan stated they build approximately ten (10) homes per year. Schreiber stated this may be a ten (10) year project before full capacity so the traffic concern should not start immediately but give the Council time to figure out a solution for the future. Schreiber stated 16<sup>th</sup> Avenue then on to 20<sup>th</sup> Avenue may be an option to open up to County Road 17 in the future. Schreiber believes with the new homes being built, the revenue from their taxes will help pay for those roads.

Richards stated if 15<sup>th</sup> street is open, he will have less lots to sell which means higher special assessments per lot. Richards pointed out there are easements on both 14<sup>th</sup> and 15<sup>th</sup> Street for emergency personnel and vehicles therefore, accessibility is there if an emergency arises.

A resident mentioned Sullivan might only build ten (10) homes in one year but if he sells lots to other builders more homes could be built in a one-year span. It was suggested widening Parke Avenue south of 12<sup>th</sup> Street up to 14<sup>th</sup> Street because it will eventually need to be done with the growing City. Olson stated the engineers have looked into this and are putting together prices for widening that stretch of Parke Avenue. Sullivan was asked if he is planning on building houses or having someone else build them? Sullivan stated they were going to sell some lots to other builders when they owned the whole development but now that he sold part of the land to Kelly there will be less lots so he would do the building himself in phases.

**4. Resolution 2017-3 – A Resolution Vacating Streets in Centennial Addition Legally, Described as:**

*All of Lilac Avenue; All of Centennial Avenue; All of 13<sup>th</sup> Street; All of Parke Court; All of Astor Court; that part of 14<sup>th</sup> Street lying between Block 2 and Block 8; that part of 14<sup>th</sup> Street abutting Lot 1 & 2, Block 7 and Lot 9, Block 3; that part of 15<sup>th</sup> Street abutting Lots 17, 18, and 19, Block 7, Lots 2 and 3, Block 10, Lots 14 through 27, Block 8, Lots 1 through 14, Block 9, Park 2 and Lot 1, Block 1; that part of Parke Avenue abutting Lots 5, 6, and 14, Block 11 and Lots 9 through 13, Block 10, all in CENTENNIAL ADDITION, according to the recorded plat thereof, on file and of record in the office of the County Recorder, Clay County, Minnesota.*

Mayor Johnson asked the Council if they are ready to make a decision regarding vacating streets in Centennial Addition? Savageau stated with the new information relayed from the Police and Fire Chief, she would like to have another Planning Committee meeting before making a decision so the appropriate decision is made. Mayor Johnson stated he would like to make a decision tonight. Discussion was had among Council and Department Heads regarding emergency personnel and vehicle access to the new developments. Police Chief Cline stated he and Fire Chief Cuchna always wanted the streets to go through, it was their understanding it was not an option so they requested emergency routes to be included in the plat. Chief Cline was approached by citizens on this safety concern and after further reviewing of the plat he would like to see the roads stay open. Chief Cline does not feel high speeds would be an issue in Richard's Addition. Mayor Johnson stated Council needs to bring this to a vote tonight.

Ken Parke stated the plat has been revised and emergency personnel's needs were addressed, we need to move forward because the timeline for procedures are running out. To special assess for improvements, you have to following the state statues which has many steps and procedures that have to be followed. We were hoping to have bids out by the first part of March 2017, if we review the 15<sup>th</sup> Street issue we would have to replat the replat, this would need to go back to the County for review, in which we would need a Public Hearing to petition for the improvements. This will push back the project bids into mid-April or the first part of May 2017 and we will not get competitive bids.

Mayor Johnson asked City Engineer Chris Thorson what needs to be done if 15<sup>th</sup> Street becomes a through street? Thorson stated a replat would need to be done and reconfiguration of the lots. The utilities and streets are planned to be put through the area so there would not be too many modifications.

Olson asked Ken Parke if opening 15<sup>th</sup> Street would push back the project? Parke said it would be a burden because right now, time is of the essence. There may be opportunities that will be missed. Ken Parke discussed how growth to the City of Glyndon is very crucial. Savageau stated if the owner of the farm land around Glyndon do not want to sell their land the City will not grow; this development is very

important for the City's future. Affield informed the audience at this time 14<sup>th</sup> and 15<sup>th</sup> streets are dedicated through streets, until Council vacates those streets they are owned by the City, it is not land being taken away from anyone. Chief Cuchna stated he would like to see the through street, he did not change his position or concerns, he accepted what option he was given. Olson stated he will not be here at the next Council Meeting so he wanted to speak how he felt concerning this situation. Olson does feel the two developments compliment each other, the City does need all levels of income based homes. Olson would like to see 15<sup>th</sup> Street flow through to County 17. Schreiber questioned whether or not the developers are willing to consider opening 15<sup>th</sup> Street to be a through street. Schreiber stated the plat changed because the ownership of the land changed, it is unfortunate but that is part of the developing process. Richards is not in favor of 15<sup>th</sup> Street going through.

Final discussions were had among Council, Department Heads and the audience.

Mayor Johnson opened the floor for a roll call vote in favor of vacating 15<sup>th</sup> Street:

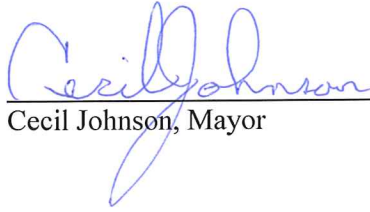
Dave Owings – Yes  
Justin Schreiber – Yes  
Mayor Johnson – No  
Joe Olson – No  
Kimberly Savageau – No

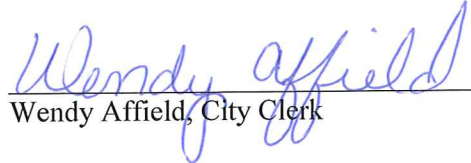
The vote is in Mayor Johnson needs a motion to approve the vote. Joe Olson made a motion to approve the vote, seconded by Kimberly Savageau.  
Motion Failed.

Pompe asked what the process will be for the new plan? Savageau stated this is a preliminary plan, there will not be another Public Hearing notice because it was held last week, moving forward, any changes would be made at a regular Council Meeting. City Attorney Ken Norman asked Kelly Richard's if he was withdrawing his petition at this time. Richards stated he is turning everything over to Ken Parke and his attorney. Mayor Johnson wished more people would have taken interest at the start of the planning process. A resident suggested phasing the development which will give time to find a solution. Thorson is not sure how the phasing would go due to the cost of the retention pond requirements. Richard's also does not see how the phasing would work with the initial costs upfront. The resident stated she means Sullivan can develop his section, Richard's can do his and leave the area under question unfinished until it can be discussed more at a later time. Thorson stated the section in question has utilities running through that need to be designed prior to starting the development. Going back to the old plat is not an option. Engineer Troy Tooz stated he has to do what he is asked, he is hired to do what the Developer's want. Norman informed Council further items on the Agenda will not be addressed at this time.

5. **Approve Preliminary Replat of Centennial Addition (Southview Addition) – Withdrawn.**
6. **Accept Agreement of Assessment and Waiver of Irregularity and Appeal – Withdrawn.**
7. **Accept Petition Received from Kelly Richards for Local Improvements – Withdrawn.**
8. **Resolution 2017-4 – A Resolution Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report – Withdrawn.**
9. **Open Forum -**

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

  
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Cecil Johnson, Mayor

  
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Wendy Affield, City Clerk

February 15, 2017 Glyndon City Council Special Council Meeting Minutes  
Discussion on Preliminary Replat for Centennial Addition (Southview Addition) and Vacating of the Dedicated Streets in Centennial Addition.