

**APPROVED MINUTES
OF THE COUNCIL SPECIAL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, NOVEMBER 10, 2015 - 5:00 P.M.**

CALL TO ORDER:

The Special Meeting of the East Grand Forks City Council for November 10, 2015 was called to order by Council President Mark Olstad at 5:00 P.M.

CALL OF ROLL:

On a Call of Roll the following members of the East Grand Forks City Council were present: Mayor Lynn Stauss, Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Mike Pokrzywinski, Craig Buckalew, Henry Tweten, and Marc DeMers.

Dave Aker, Parks & Recreation Superintendent; Karla Anderson, Finance Director; Brad Bail, City Engineer; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Paul Gorte, EDA Director; Mike Hedlund, Police Chief; Charlotte Helgeson, Library Director; Teri Kouba, MPO Planner; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; and Megan Nelson, Executive Assistant.

DETERMINATION OF QUORUM:

The Council President Determined a Quorum was present

SCHEDULED PUBLIC HEARINGS:

1. Public Hearing regarding the special assessments for 2015 Assessment Job No. 3 – Street Improvements for a total assessment of \$713,096.30

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO OPEN THE PUBLIC HEARING.

Voting Aye: Vetter, Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, and DeMers.

Voting Nay: None.

Mr. Steve Emery gave an overview of the project, explained how the street maintenance is on a seven to ten year cycle, and the breakdown of the project costs that were going to be assessed to were \$197,885.19 for seal coat and \$515,211 for mill and overlay. He then asked for questions.

Council President Olstad asked those who like to speak to stand at the podium, state their name and address. Mr. Dave Upham, 2009 River Road NW, thanked President Olstad, Vice-President Grassel and members of WSN for meeting with him and some of his neighbors. He stated they aren't trying to get out of paying their fair share and asked why the length of the assessment

couldn't be ten years instead of seven. He also mentioned how there is a lot of traffic on this road and that speed is an issue. Mayor Stauss asked the engineers what could be done in regards to changing this to 10 years. Mr. Emery stated street maintenance projects usually are done every seven to ten years. Mayor Stauss said he would hate to agree with allowing a 10 year term and then need to complete a street maintenance project in seven years so the property owner would still be paying on the previous project. Mr. Emery explained that is why the City had set the policy of assessing street maintenance projects for seven years. He added the roads that had received a seal coat will more than likely receive a mill and overlay the next time and the mill and overlay streets would receive a seal coat. He ended by saying how these projects are better and more affordable than to replace the street itself. Mr. Upham commented that the road was in good shape before the project was completed.

Council member Pokrzywinski said the Council can't predict what future Councils will do, that he is not sure if the payments could be stretched out, and that it was a reasonable request. Discussion followed about how extending the payoff time would affect the bond payment and how some residents have already paid off their special assessments. Mr. Galstad stated he would have to look into this matter to determine what actions the Council would be allowed to take. Mr. Upham also commented that he hadn't received the first notice for this project and commented about the letter he had received informing him the City had failed to notify him about the initial hearing. He added that he can't do business like that and the City shouldn't be doing business like that. Council President Olstad stated that Mr. Upham should have been notified, he didn't know why he hadn't received a notice, and that he understands his frustration. More discussion followed about how River Road was a part of the state aid system. Mr. Galstad reminded those present at the meeting this was their opportunity to object and that they would have 30 days to appeal to the court system once the assessment roll was adopted.

Mr. Todd Schlieve, 1628 20th St NW, stated he had only received one registered letter and asked why the term couldn't be extended out to ten years. Council member DeMers asked if the seal coat and mill and overlay project could be split and to lengthen the term on the mill and overlay project. Mr. Galstad stated that this project had been advertised as one project so that is something he would have to check on. Council member DeMers added that extending the length of the term to 10 years may delay maintenance in the future. Mayor Stauss commented how everything is increasing, that he is very concerned, and the City should help if possible. Council Vice-President Grassel commented how there were only five people that attended the hearing and asked how many more people didn't attend. He added how the last project was done in 2006, this project was done better than the last one so it should last longer, and he did not see why the term couldn't be stretched out. He asked to see if the two projects could be split if possible.

Ms. Jolynn Vasichuk, 1303-1305 20th St NW, stated she owned the duplex and that they did not have any access onto the street just the alley. She asked if there was special consideration given to those who parked in the alley and didn't use the street. Council member Pokrzywinski stated both the fire department and police department would use the street if needed.

Mr. Upham asked how many streets had mill and overlay this year. Mr. Emery said there were 12 or 13 blocks that received a mill and overlay and there had been approximately 600 residents

that had been affected by this project. Council member DeMers commented how the Council had considered implementing a street maintenance fee and asked for input from residents on what they thought about that. Council member Buckalew explained what Council member DeMers was referring to was a street improvement district but currently State statutes do not allow this.

Mr. James Peltier, 2015 River Road NW, stated he lives across from both the Good Sam and the cemetery. He commented how the room was full at the first hearing, how it was said there were errors, he understood end benefit, but it would be better if everyone was paying the same in the neighborhood. Mr. Emery explained the City assessment policy was used to when figuring out the assessment roll. Mr. Peltier stated they didn't get all of the sheets of the assessment roll and that the explanation did not ease having to pay for sidewalks and driveways which they shouldn't have to pay for. Mr. Emery said there were state aid funds being used to pay for a portion of the mill and overlay project.

Mr. Justin Hallin, 2021 River Road NW, commented on the beet truck traffic that uses this road and asked why that traffic wouldn't use roads to the east. He also asked about lowering the speed limit on River Road. Council President Olstad stated he had talked with WSN and City staff to find answers to some of these questions. Mr. Emery added that since it is a state aid road they can't keep trucks off the road unless this stretch of road is taken off of the state aid system. Mr. Hallin said they were asking for ten years and what would happen if road maintenance is needed in five years instead of seven.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO CLOSE THE PUBLIC HEARING.

Voting Aye: Vetter, Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, and DeMers.
Voting Nay: None.

NEW BUSINESS:

2. Consider adopting Resolution No. 15-11-123 adopting the assessment roll #335 for 2015 Assessment Job No. 3 – Street Improvements – North Side of the City for a total assessment of \$713,096.30.

Discussion about how there is a limited amount of time to determine what the Council's options are and how residents are given 30 days from the time the assessment roll is adopted to pay their assessments. Council member DeMers asked how long it would take to determine what the Council's options are. Mr. Galstad stated he would be able to find the information the following day. More discussion followed about when the Council would be able to meet and adopt the assessment roll.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER BUCKALEW, TO ADJOURN THE NOVEMBER 10, 2015

**SPECIAL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL
AT 5:46PM UNTIL 5:00PM ON THURSDAY, NOVEMBER 12TH, 2015 WHEN THE
MEETING WILL RECONVENE IN THE TRAINING ROOM AT CITY HALL.**

Voting Aye: Vetter, Pokrzywinski, Buckalew, Tweten, Olstad, Grassel, and DeMers.

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer