

**APPROVED MINUTES
OF THE CITY COUNCIL
CITY OF EAST GRAND FORKS
TUESDAY, MARCH 1, 2016 – 5:00 PM**

CALL TO ORDER:

The Regular Meeting of the East Grand Forks City Council for March 1, 2016 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, Henry Tweten, and Marc DeMers.

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

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

“An opportunity for members of the public to address the City Council on items not on the current Agenda. Items requiring Council action may be deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate.”

APPROVAL OF MINUTES:

1. Consider approving the minute summary of the “Closed Session” for the East Grand Forks, Minnesota City Council of January 19, 2016.
2. Consider approving the minutes of the “Regular Meeting” for the East Grand Forks, Minnesota City Council of February 16, 2016.
3. Consider approving the minutes of the “Work Session” for the East Grand Forks, Minnesota City Council of February 23, 2016.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO APPROVE ITEMS ONE (1) THROUGH THREE (3).

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

Voting Nay: None.

Absent: Buckalew.

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS:

4. Public Hearing on proposed 2016 Assessment Job No. 1 – Street Improvements.

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

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

Voting Nay: None.

Absent: Buckalew.

Council President Olstad stated that due to caucuses being held the meeting could not go past 6:00pm. If more time is needed for the hearing the meeting will be continued on March 8th in Council Chambers beginning at 5:00pm so everyone will get their chance to address the Council. He asked that when residents were addressing the Council to please stand at the podium and to state their name and address for the record. He then turned the meeting over to the City Engineers.

Mr. Emery welcomed everyone to the improvement hearing and introduced himself and those who assisted in this process. He explained that the street improvements had been broken down into phases and this year was phase two of three. He stated the last time there was street maintenance completed was in 2006 and all of the streets were done that year. He then turned it over to Mr. Bail.

Mr. Bail informed the group that assessments are how some projects are paid for. He explained there is front benefit and end benefit. He continued saying the front benefit is based on the narrow side of the parcel and that they use a formula to calculate front footage on odd shape lots. He stated that once the footage is calculated the information is then reviewed to see who is receiving benefit from the project. He explained how properties adjacent to the project are assessed halfway down the block so depending on which street is getting the improvement some parcels may be assessed only end benefit. He then gave an example and asked for questions. Mr. Emery reviewed the project and how there were three parts to it which included seal coat, mill and overlay, and full reconstruction. He reviewed the estimated costs per foot for each part and how the reconstruction portion would be assessed over a 15 or 20 year period due to the costs of that project. He then asked for questions.

A resident stated they had received a letter in 2006 about a seal coat and mill and overlay. She continued saying that they now received the same letter again and asked what the difference is between the two. She commented how the last time this was done it was done poorly and that this time prices had tripled. Mr. Emery explained that this would be the same process again. Council member Grassel asked to have an explanation of what a seal coat and mill and overlay are. Mr. Emery explained what a seal coat is when they spray down oil and add rocks or chips and drive on it for some time. He added the process is different now because they add another layer of oil on top of everything. He then explained that a mill and overlay is when the street is milled out and then an overlay of asphalt is put

down. The resident asked which process would be happening by her property. Ms. Anderson stated it was going to be a mill and overlay.

Council President Olstad stated again that if someone would like to address the City Council to please state their name and address so the engineers can look on their sheets, see how the property would be affected, and then be able to address questions. Mr. Emery told the resident her property would be affected by a mill and overlay. She stated that it was a side street and asked when they would be doing the street in front of her home. Mr. Emery said again that this was going to be done in three phases and if it wasn't done last year or this year then it would be done the following year.

Mr. Don Coulter, 512 7th Ave SE, said that his property would be affected by the mill and overlay and asked how long that was going to last. Mr. Emery explained how it is typically a seven to ten year cycle and since this time they are getting a mill and overlay next time they would be getting a seal coat. Mr. Coulter asked how often a seal coat is put down. Mr. Bail explained how the cycle alternates between seal coat and mill and overlay every seven to ten years. Mr. Emery explained that this was the maintenance plan the City followed to keep streets looking nice because once they start having problems the project may turn into a reconstruction which is much more expensive. Mr. Coulter commented how some streets included in the project are in good condition or more time should be given in between these projects. He also reminded everyone of the school bond issue and the interconnect project that is coming up and how both will cost the residents more. Mr. Emery commented how this is the reason for the improvement hearing so residents can let the Council know what they are thinking and the Council can make their decision based on the input from residents.

Mayor Stauss stated that he understands how they feel about the older residents as well as those who are just starting out. He continued saying the biggest mistake the City made in streets was back in the 1960s when they put these types of streets in. He said that every eight years something should be done to the streets with either a seal or patching. He stated that the Council and taxpayer at that time didn't realize how much it was going to cost to maintain these streets. He added how since oil prices have come back down he thought that costs for this project would come back down. He said that every eight years an improvement might be done to try and prevent water from seeping in which would cause problems. He said that back the 1960s the people wanted to pay the cheapest amount and get the best street possible. He explained that it changed to concrete streets in the 1970s which ended up being much better but a major improvement on a concrete street is very costly. He added how the City has been fortunate that there haven't been too many major repairs. Mayor Stauss stated that he knows what Mr. Coulter is talking about regarding all of the taxes, how the City had a large increase, and how the City has a responsibility to try to keep costs down for the residents. He added how he hopes the State will help the City out with the costs for the interconnect project and how they are looking at going with a sales tax so the pool project wasn't added to the property taxes.

Mr. Coulter commented how the City did have a large increase in the levy and that it seems every time he turns around there is something else being taken out of his income. Mayor Stauss stated how the City is providing services and how the costs have gone up over the years. Mr. Coulter asked why a fix was being done on something that didn't need to be fixed and asked to be shown what is wrong with the street. Mr. Emery stated that there had been a water main replacement project that had gone through but that street did have alligator cracking along with drainage issues and the longer they let it go the more it will cost in the long run. Discussion followed about how this street had been put off because of the water main project that was completed the year before and where alligator cracking comes from.

Another resident stood up and told the Council they all have other jobs and how they can afford to pay for streets. She stated that she is on social security alone. She added that the City owns the Senior Center and commented how they were being assessed. She asked if they were exempt and if they weren't how they were going to pay for it. Mr. Emery said the Senior Center would be paying their share just like everyone else. The resident said the Senior Center didn't have any money to pay for this. Mr. Emery commented how the City was liable for their portion.

Another resident commented how he didn't think the engineers were doing their job because no one is inspecting things. He asked what they were going to do this year. Mr. Murphy asked for the resident to give his name and address for the record. Gary Nokelby stated his address was 704 5th St SE. Mr. Emery commented how in 2006 they must have received a seal coat. Mr. Nokelby said he did and it was a poor job. Mr. Bail said he didn't know the particulars of what happened on that job because he wasn't the one inspecting at that time.

Dan Rolczynski, 1826 14th Ave NW, stated that he received a letter informing him of the project, called and asked for information, and was referred to the City Engineers. He stated that in the 51 years that he has lived at his residence he doesn't remember paying end benefit and doesn't understand why they have to pay end benefit. He continued saying that he was upset about paying end benefit and that he will call this a city/engineer's fund. Council President Olstad stated that he lived on the corner of the same street and that there had been front and end benefits charged before. He added nothing had changed on how this was being assessed. Mr. Rolczynski asked if they paid end benefits in 2006. Council President Olstad said he could look it up and he is assuming they did because that is how the City had been assessing projects. Mr. Rolczynski commented how they had put rock down before and the last time the curb and sidewalks were full of rocks after the snowplow had come by. He added that it may be out of turn but televising the Council meetings will only upset the people.

Neal Johnson, 535 7th Ave SE, asked if the numbers were the actual bid numbers and if they were high, medium or low. Mr. Emery explained that these were just estimated dollar amounts, the next step would be completing plans and specs, advertising for bids, and that they are hoping these numbers are on the conservative side. Mr. Johnson asked when the bid process would start. Mr. Emery said if it moved forward in either April or May. Mr. Johnson commented how he did agree that the last job was really crummy and more attention could have been paid. He added more diligence could be paid when inspecting. Mr. Emery explained the seal coat process again and how there is an additional layer of oil which should help with keeping the rock chips on the road. Mr. Johnson said he was familiar with the county roads and how there haven't been issues with those roads. Mr. Emery said there is a one year warranty on the streets so if the contractor needs to come back and fix things they won't get paid twice.

Mr. Dennis Larson, 205 6th St NW, stated that he was relatively new to the community and has never been hit so hard by taxes along with the street improvements that were done last year. He asked for the reasoning to be taxed again when they had their street completed in August of last year. Mr. Emery asked to speak with him afterwards to look at the specifics. Council member Pokrzywinski said that 2nd Ave NW was not done and it was scheduled to be completed this year and would be an end benefit to Mr. Larson. Mr. Larson said when they had received the notice last year he didn't understand why they would do anything on the street in good condition but was told it was for upkeep for ongoing maintenance. Mr. Emery stated the prior project was completed in 2006 which is done in a seven to ten year cycle.

Council member Vetter asked for a show of hands of who was in favor of the maintenance project, there were none. He then asked how many were against and many raised their hands. Mr. Jim Wilson, 1412 Central Ave NE, asked why not all of the businesses were being assessed or affected by the project and he also asked what the interference would be like for businesses while this project is taking place. Mr. Emery said the interference would be minimal because seal coat is usually done within a day. Mr. Wilson asked if the road could be driven on because it would not be convenient for customers to have to drive through the alleyway. Mr. Emery said that in most cases the street would be left open so people would be able to access the business.

Mr. Neal Johnson asked how far down the reconstruction portion would be assessed. Mr. Emery stated it was a block or two. Mr. Johnson asked why it isn't spread out further since so many others receive benefit from this street. Mr. Emery explained all properties will be assessed eventually so when the time comes to redo the street in front of their house they will be getting assessed. He continued to say that this is a State Aid street so only 30% of the project cost is being assessed to the property owners.

Curtis Ellingson, 905 18th St NW, said that last year he was assessed over \$4000 for a mill and overlay. He added that this year he was being assessed another \$1905 for end benefit and how without interest it was going to cost him \$70 per month for the next seven years. He said he can thank Mr. Vetter for asking if this should be done or not, that it needs to be done, but that it is getting out of hand.

Duane Driscoll, 902 18th St NW, stated in 2006 the project was rock and oil in front of his home. He said last summer it was mill and overlay in front of his house. He stated that now he is being charged end benefit and asked the Council how that benefits him. Mr. Emery said assessing is how the project is paid for. Mr. Driscoll said he would be paying up to \$4500 for both projects and that he would stay off that street. Mr. Bail explained how assessments work. Mr. Driscoll asked to assess the whole town and if that would be fair. Mr. Bail said that has been discussed before and that he would be using other streets in town that he does not pay for so this process should equalize out what is paid for. Mr. Driscoll said it would be equal if the whole town was assessed.

Council member DeMers said this had been fantastic discussion but the meeting had to be over by 6:00pm so he proposed to suspend the hearing until March 8th and to move on to other items on the agenda. Mayor Stauss reminded everyone that because of the caucuses being held the meeting could not go past 6:00pm.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GRASSEL TO ADJOURN THE HEARING UNTIL MARCH 8TH AT 5:00PM.

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

Voting Nay: None.

Absent: Buckalew.

The Council was reminded about the pancake feed at the Senior Center on March 13th and were asked to attend. Council member DeMers reminded everyone that the hearing will be continued next week at 5:00pm.

CLAIMS:

5. Consider adopting Resolution No. 16-03-31 a Resolution authorizing the City of East Grand Forks to approve purchases from Hardware Hank the goods referenced in check numbers 23591 for a total of \$1,501.94 whereas Council Member Buckalew is personally interested financially in the contract.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 16-03-31 A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND FORKS TO APPROVE PURCHASES FROM HARDWARE HANK THE GOODS REFERENCED IN CHECK NUMBERS 23591 FOR A TOTAL OF \$1,501.94 WHEREAS COUNCIL MEMBER BUCKALEW IS PERSONALLY INTERESTED FINANCIALLY IN THE CONTRACT.

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

Voting Nay: None.

Absent: Buckalew.

6. Consider authorizing the City Administrator/Clerk-Treasurer to issue payment of recommended bills and payroll.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER DEMERS, TO AUTHORIZE THE CITY ADMINISTRATOR/CLERK-TREASURER TO ISSUE PAYMENT OF RECOMMENDED BILLS AND PAYROLL.

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

Voting Nay: None.

Absent: Buckalew.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE MARCH 1, 2016 COUNCIL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:00 P.M.

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

Voting Nay: None.

Absent: Buckalew.

David Murphy, City Administrator/Clerk-Treasurer