

**APPROVED MINUTES
OF THE SPECIAL MEETING
CITY OF EAST GRAND FORKS
TUESDAY, MARCH 8, 2016 – 5:00 PM**

CALL TO ORDER:

The Special Meeting of the East Grand Forks City Council for March 8, 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; Greg Boppre, City Engineer; Dan Boyce, Water & Light Manager; Nancy Ellis, City Planner; 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; and Jason Stordahl, Public Works Director.

DETERMINATION OF A QUORUM:

The Council President Determined a Quorum was present

SCHEDULED PUBLIC HEARINGS:

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

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

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

Voting Nay: None.

Absent: Buckalew.

Council President Olstad reminded everyone that when addressing the Council to please stand and state their name and address. He then turned it over to Mr. Emery. Mr. Emery welcomed everyone to the meeting, introduced himself, Mr. Brad Bail, and explained they would be reviewing the information that was presented the previous week. He stated how there were three parts to this project which included a seal coat, a mill and overlay, and a reconstruction for a portion of Rhinehart Drive. Mr. Emery said the last project like this was completed in 2006 and that this project was maintenance to help prolong the life of the asphalt road. He commented how property owners would have the option to either pay for the project or have it assessed over a seven year period. He then turned it over to Mr. Bail to review the assessment process.

Mr. Bail stated he would review the information presented the week before and started by explaining what an assessment is. He reviewed what front and end benefits are and how they are calculated. He also explained how assessments are calculated for odd shaped lots, how assessment rolls are put together and how front and end benefits are applied to properties. Mr. Emery reviewed the costs of each portion of the project and what the cost per foot for each portion of the project. He stated how the reconstruction portion was on the State Aid system and how the current policy is that only 30% of the cost will be assessed. Mr. Emery added that this would be spread out over a seven year period and how this is the first step in the assessment process. He then asked if there were questions. Council President Olstad asked again that those who speak state their name and address for the record.

Mr. Dan Rolczynski, 14th Ave NW, asked when the payment would be due. Mr. Bail explained the project would have to be bid first to determine what the actual project costs were and if they were reasonable. He continued saying if the costs were reasonable the project could moved forward and it more than likely wouldn't be until the fall until the specials would be due. Mr. Rolczynski asked if they would be sent a bill. Mr. Bail said they would be notified about what the costs would be and at that time would have the opportunity to pay it off or have it assessed. Mr. Emery said the work would be completed this summer and have the final assessment roll completed by October because the information would need to be sent to the County by November.

Mr. Jack Gregoire, representative of 401 Demers Ave, stated his concern is with the traffic on the street. He stated there are a lot of beet trucks that come down this road from Highway 2. He continued saying that he has nothing against farmers and how this is a farm community but that the beet trucks are overweight, stretched out, and how some come through town quickly. He doesn't see how the overlay would hold up for eight years. He stated how they were bottlenecked when the sewer lines were being repaired and stated again he doesn't see how an overlay will hold up with all of the traffic. He added how these trucks should be using the bypass and going down 5th Ave instead of going through downtown. He stated that for what they are paying he doesn't think that it will hold up.

Council member DeMers asked what 4th Street had been designed for. Mr. Bail stated that it was designed for up to 10 tons. Mr. Emery said this street was included on the State Aid system and was designed for truck traffic. Council member DeMers said they should expect something to be done to the street in eight years for maintenance. Council member Vetter asked that since this street is on State Aid if these properties would be assessed the whole cost or if State Aid would be picking up some of the cost. Mr. Emery said 100% of the costs would be assessed. He explained when it is full reconstruction it is only 30% but if it is maintenance type work they are assessed 100%. Council member Vetter asked if this was considered part of the Business Highway 2 bypass. Mr. Bail said Business Highway 2 turns at the corner and goes down Demers towards the Sorlie Bridge.

Council member DeMers asked why this property was receiving a front benefit instead of end benefit. Mr. Emery stated that the narrowest part of the property faces 4th Street. Council member DeMers asked if it mattered that there were two parcels. Mr. Bail said it was still based on the direction of the lot and that if someone owned five lots that were all 50 feet they would then be charged for the 250 feet and added how footage is based on how the lots were originally laid out. Mayor Stauss stated how eight years had been mentioned and how these projects will need to be done again in eight to ten years again.

Duane Driscoll, 902 18th St NW, said he paid \$3000 last summer and that there wasn't any end benefit last summer. He asked what the end benefit does for him and asked for an explanation. Mr. Bail said he will try and explained how this was a way to try and keep things as fair as possible. Mr. Driscoll asked why everyone doesn't pay. Mr. Bail said everyone does when the street is done in front of their house as well as side streets. Mr. Driscoll asked again how this benefits him. Mr. Bail explained that many people come down the street such as the police officers, the fire fighters, and the garbage collector which all provide services. Mr. Driscoll and the city engineers discussed what had happened the year before and how residents pay aren't assessed for improvements to Demers and other heavily traveled streets.

Council member DeMers stated that most that live in the area that Mr. Driscoll lives in are paying end benefits and if the City didn't have the end benefit policy there would be fewer streets. He added that this is the fairest way the Council has come up with so far that gets everyone to chip in. He added how this is a network and hopefully someday the Council can discuss fixing the streets as one community. Mr. Galstad told everyone that the State of Minnesota does not allow cities to have the entire city as a street district which would allow everyone to pay in to rather than having special assessments. He stated that had come before the Legislature on more than one occasion but at this point had not been passed. Discussion followed about how bug control and other items are allowed by state statute.

Ms. Joanne Nokelby, 704 5th St SE, commented about city wide and asked if there was a project done back in 2006 was city wide. Mr. Emery explained that back in 2006 every asphalt street in town was improved at the same time. He stated that this time they are completing this over a three year time frame so anyone who lives on an asphalt street will be assessed during this three year process. Ms. Nokelby asked about when 5th Street SE will be completed. Mr. Emery said it would be done in 2017. Ms. Nokelby asked why they covered the cracks in the street if it was going to be redone. Mr. Bail stated that it was to try and keep water from getting into the road. He added how they tried to seal as many of the cracks as possible and how there is only so much money available for crack sealing. Mr. Nokelby asked when the costs will end. Mr. Bail explained that asphalt streets require maintenance every seven to ten years which is set by MNDOT. He added if they don't take care of them the streets will have to be reconstructed. Mr. Nokelby asked who would be doing the job this time. Mr. Bail said they haven't collected bids for this project so at this time they do not know. Discussion followed about how the numbers presented were based on estimates, the numbers were subject to change, and if the bids are much higher than what is estimated the Council more than likely won't vote to move forward with the project. Mayor Stauss stated how comments had been made about the poor job done last time and asked that if residents think the job isn't good enough to let the Council know about it.

Council member DeMers stated that the last time a project was completed was 2006 so it is going on ten years. He added that what was done in 2006 compared to what was completed last year is a night and day difference. He said some people that lived in the areas which were repaired last year commented to him they were very happy with the way it turned out, the process, the time it took, and the fact they didn't have gravel in their berms. He also asked to be informed about things that residents see and be prepared they should be receiving a better product. Mr. Emery explained how process has changed since 2006 and commented how this is a better product in the end.

Mr. Don Coulter, 512 7th Ave SE, said he believes that the product is better. He stated that he only concern is that streets in the town that don't need maintenance. He commented that he came to the

conclusion that his street does need maintenance but driving around there were streets that are not in need of repair. He stated that they should give some of the roads a few more years before doing an improvement. Mr. Emery explained the roads were inspected last year, that portions of a road may be okay, but other parts of the same street may not be. Mr. Coulter said they should also take under consideration the amount of traffic on some of the roads. Mr. Bail explained the process of how roads had been inspected, how it was decided on what type of improvement is needed, and how now that process also includes the pavement management system and what that all entails. Discussion followed about how end benefits go half way down the block based on the block, not the amount of number of lots on the block.

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

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

Voting Nay: None.

Absent: Buckalew.

Council President Olstad thanked everyone for coming and for their comments. He reminded them that this was the first step and how the costs will be reviewed when the bids are received.

NEW BUSINESS:

2. Consider adopting Resolution No. 16-03-27 ordering the improvements and the preparation of plans and specifications for 2016 Assessment Job No. 1 – Street Improvements – City Wide.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 16-03-27 ORDERING THE IMPROVEMENTS AND THE PREPARATION OF PLANS AND SPECIFICATIONS FOR 2016 ASSESSMENT JOB NO. 1 – STREET IMPROVEMENTS – CITY WIDE.

Council member Vetter asked if the reconstruction portion of the project was still included. Mr. Emery said it was still included. Council member Vetter asked if it would make more sense to install the round-a-bout and reconstruct the portion of Rhinehart Drive at the same time. Mr. Emery said that was an option for the Council. He added that if it was included they would determine where the round-a-bout would be so no work would be duplicated. Council member Vetter stated he thinks if they wait they could get a better prices instead of only reconstructing 200 feet of a street. He recommended pulling the reconstruction section of the project out. Council President Olstad stated this had been discussed a couple weeks ago and it was his understanding that the engineers would look into this to determine what would need to be done with the round-a-bout. He added they are still working on getting that information and how the Council could include the reconstruction and see what the bids come in at. Mr. Emery said it could be done is an alternate. Discussion followed about how the round-a-bout needs to be made the correct size and for the future and how there would be a benefit for completing the round-a-bout and reconstruction as one project in the same year.

Mr. Coulter asked if the round-a-bout was the way to go and what was wrong with putting in stop signs. Mr. Emery said the round-a-bout was recommended from the study that was completed, how stop signs

could back up traffic, and that round-a-bouts keep traffic flowing. He added that there wasn't enough traffic to warrant traffic lights. Council member Pokrzywinski said a four way stop intersection had been tried before and it backed up traffic even more. He said that people are resistant to round-a-bout but they are a safer method of controlling traffic. Discussion followed about how this would be a one lane round-a-bout, how they are safer way to control traffic, how they are designed to keep traffic flowing, and that the cars in the round-a-bout will have the right-of-way.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO AMEND THE MOTION TO WITHDRAW THE RECONSTRUCTION PORTION FROM THE PROJECT.

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

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADOPT RESOLUTION NO. 16-03-27 ORDERING THE IMPROVEMENTS AND THE PREPARATION OF PLANS AND SPECIFICATIONS FOR 2016 ASSESSMENT JOB NO. 1 – STREET IMPROVEMENTS – CITY WIDE EXCLUDING THE RECONSTRUCTION PORTION OF THE PROJECT.

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

3. Consider adopting Resolution No. 16-03-28 accepting and awarding the bid for 2015 City Project No. 4 – Curb, Gutter, & Paving – 5th Ave NE & 10th St NE to Opp Construction in the amount of \$333,597.70.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER POKRZYWINSKI, TO ADOPT RESOLUTION NO. 16-03-28 ACCEPTING AND AWARDING THE BID FOR 2015 CITY PROJECT NO. 4 – CURB, GUTTER, & PAVING – 5TH AVE NE & 10TH ST NE TO OPP CONSTRUCTION IN THE AMOUNT OF \$333,597.70.

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

4. Consider adopting Resolution No. 16-03-29 accepting and awarding the bid for 2016 Assessment Job No. 2 – Concrete Paving & Sidewalk Construction to Opp Construction in the amount of \$347,992.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER GRASSEL, TO ADOPT RESOLUTION NO. 16-03-29 ACCEPTING AND AWARDING THE BID FOR 2016 ASSESSMENT JOB NO. 2 – CONCRETE PAVING &

SIDEWALK CONSTRUCTION TO OPP CONSTRUCTION IN THE AMOUNT OF \$347,992.

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

Voting Nay: None.

Abstain: DeMers.

Absent: Buckalew.

5. Consider adopting Resolution No. 16-03-30 adopting the updates to the 2045 Land Use Plan.

A MOTION WAS MADE BY COUNCIL MEMBER DEMERS, SECONDED BY COUNCIL MEMBER VETTER, TO ADOPT RESOLUTION NO. 16-03-30 ADOPTING THE UPDATES TO THE 2045 LAND USE PLAN.

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

Voting Nay: None.

Absent: Buckalew.

6. Consider approving the request to hire a full time maintenance worker for City Buildings and to be placed at Grade 7 on the pay scale.

A MOTION WAS MADE BY COUNCIL MEMBER POKRZYWINSKI, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE REQUEST TO HIRE A FULL TIME MAINTENANCE WORKER FOR CITY BUILDINGS AND TO BE PLACED AT GRADE 7 ON THE PAY SCALE.

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

Voting Nay: None.

Absent: Buckalew.

7. Consider awarding the annual sewer cleaning job to Veit for \$215 per hour for sewer cleaning services.

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO AWARD THE ANNUAL SEWER CLEANING JOB TO VEIT FOR \$215 PER HOUR FOR SEWER CLEANING SERVICES.

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

Voting Nay: None.

Absent: Buckalew.

8. Consider approving the Exempt Gambling Application for the East Grand Forks Ducks Unlimited group to hold a raffle on May 6, 2016 at the American Legion located at 1009 Central Ave NW East Grand Forks, MN 56721 and waive the 30-day waiting period.

A MOTION WAS MADE BY COUNCIL MEMBER VETTER, SECONDED BY COUNCIL MEMBER TWETEN, TO APPROVE THE EXEMPT GAMBLING APPLICATION FOR THE EAST GRAND FORKS DUCKS UNLIMITED GROUP TO HOLD A RAFFLE ON MAY 6, 2016

AT THE AMERICAN LEGION LOCATED AT 1009 CENTRAL AVE NW EAST GRAND FORKS, MN 56721 AND WAIVE THE 30-DAY WAITING PERIOD.

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

Voting Nay: None.

Absent: Buckalew.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER DEMERS, TO ADJOURN THE MARCH 8, 2016 SPECIAL MEETING OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:03 P.M.

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

Voting Nay: None.

Absent: Buckalew.

David Murphy, City Administrator/Clerk-Treasurer