

**AGENDA
CITY COUNCIL
WORK SESSION
CITY OF EAST GRAND FORKS
JULY 12, 2011
5:00 PM**

CALL TO ORDER

CALL OF ROLL

DETERMINATION OF A QUORUM

1. Transportation Enhancement (TE) Sidewalk Project – Brad Bail
2. 13th St. SE & Greenway Blvd – Brad Bail
3. 2nd St. NW & 3rd St. NW Street Repair – Brad Bail/John Wachter
4. Cul-de-Sacs – Club Acres Addition – Brad Bail
5. 14th Ave. SE – Paving – Brad Bail
6. 2010 Comprehensive Annual and Financial Report (CAFR) & W&L CAFR– Joe Martin

ADJOURN

Upcoming Meetings

Regular Meeting – July 19, 2011 – 5:00 PM – Council Chambers

Work Session – July 26, 2011 – 5:00 PM – Training Room

Regular Meeting – August 2, 2011 – 5:00 PM – Council Chambers

Request for Council Action

Date: July 6, 2011

To: East Grand Forks City Council, Mayor Lynn Stauss, President Craig Buckalew, Council Vice President Wayne Gregoire, Council Members: Marc Demers, Henry Tweten, Greg Leigh, Mike Pokrzywinski and Ron Vonasek.

Cc: File

From: Greg Boppre, P.E.

RE: Plans/Specifications – Transportation Enhancement(TE) Sidewalk Project

Background:

The City of East Grand Forks received TE funds to construct sidewalk along Demers Ave and Central Ave(see attached map). The City received go ahead last week to proceed with the advertising of this project from MnDOT(Merry Daher) and we set the bid date for Tuesday, August 2, 2011 at 10:00 am. Ms. Daher also indicated that even if the State does shutdown, that it is okay to advertise the project.

I have also included a breakdown of the project and the proposed funding.

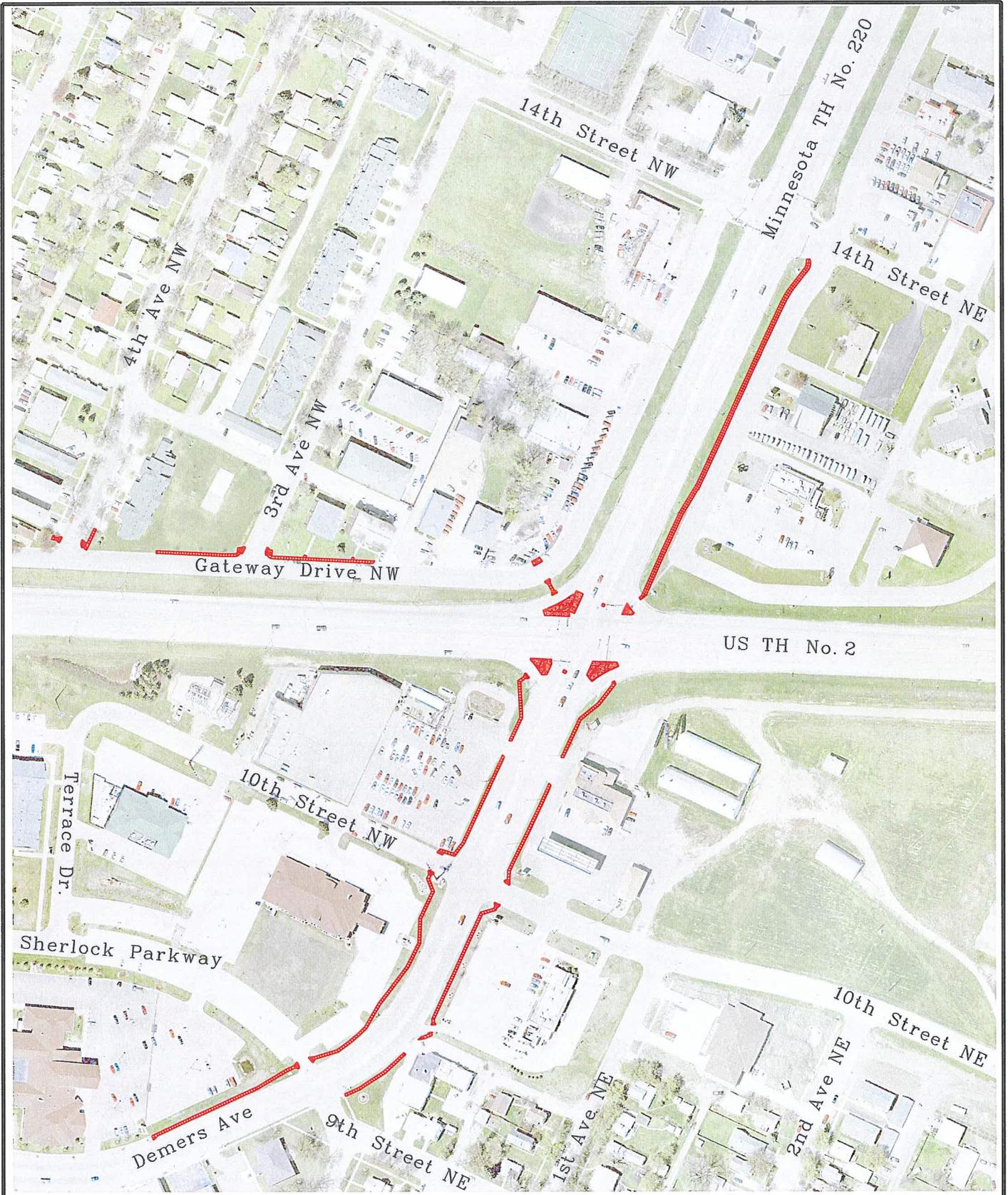
Recommendation:

File plans and specifications

Enclosures:

Sidewalk drawing

Memo with cost breakdown



DRAWN BY: **JS**

DATE: 7/6/2011

DGN: 11cp2_traffic_ctrl.dgn

MODEL NAME: council plan

PROJECT:

**2011 City Project No. 2
Sidewalk and Ped Ramp Improvements
East Grand Forks, MN**

SHEET:

1 OF 1

Memorandum

*To: Honorable Mayor and City Council
Members*
From: Greg Boppre
cc: Scott Huizenga, Nancy Ellis
Date: Wednesday June 1, 2011
Subject: TE Project

The following is a breakdown of project costs and the proposed funding:

PROJECT COSTS

Construction	\$279,878.00
Eng, legal, cont(soft costs)	<u>\$69,969.50</u>
TOTAL	\$349,847.50

PROPOSED FUNDING

MnDOT(TE)	\$143,000.00
MnDOT(ADA)	\$120,000.00
TIF	\$45,000.00
Local	<u>\$41,847.50</u>
TOTAL	\$349,847.50

Request for Council Action

Date: July 6, 2011

To: East Grand Forks City Council, Mayor Lynn Stauss, President Craig Buckalew, Council Vice President Wayne Gregoire, Council Members: Marc Demers, Henry Tweten, Greg Leigh, Mike Pokrzywinski and Ron Vonasek.

Cc: File

From: Greg Boppre, P.E.

RE: Report of Feasibility – 13th Street SE and Greenway Boulevard

Background:

As per the request at the Tuesday, July 5, 2011 City Council meeting, attached please find the report of feasibility to construct street paving on 13th Street SE and Greenway Boulevard. I have presented two(2) proposals for this work, the estimated cost to pave 13th street se is \$297,725 and the assessment rate would be \$156.07 per front foot and \$52.02 per end foot benefit and the cost to pave Greenway Boulevard is \$366,850, however this is a State Aid street and presently the City does not special assess State Aid streets. The other proposal is to combine the State Aid amount in with 13th street project and the assessment rates would then become \$67.60 per front foot benefit and \$22.53 per end foot benefit and the properties that would be assessed are on the attached map.

Recommendation:

Set date of public hearing

Enclosures:

Report of Feasibility



July 6, 2011

Honorable Mayor and City Council
City of East Grand Forks
PO Box 373
East Grand Forks, MN 56721

RE: Report of Feasibility
Estimate of Cost and
Area Proposed to be Assessed
Peabody's 1st Addition, Beste Addition and Absey's 2nd and 3rd Addition

Dear Members of the Council:

We have as directed by Council, made an investigation as to the feasibility of constructing concrete paving to serve the properties along 13th Street SE and Greenway Boulevard (See attached map).

We have identified the project need as follows:

The construction of street paving along with the existing concrete curb and gutter allows for the proper conveyance of surface water to the storm sewer system preventing erosion and saturation of porous soils from rainfall and snow melt. The pavement also benefits the adjacent property owners through increased property values, improved aesthetics and all weather access to the property.

The existing paving width of 13th Street SE is 28.66 feet and the paving width of Greenway Boulevard is 35.66 feet.

This project will include the removal and salvage of 7" of crushed concrete aggregate and placement of 7" reinforced concrete pavement for the street shown on the attached exhibit. The crushed concrete and concrete curb and gutter was installed in 2006.

(I) 13th Street SE

The total estimated project cost is \$297,725.00, resulting in an assessment rate of \$156.07 per front foot benefit and \$52.02 per end foot benefit.

(II) Greenway Boulevard

The total estimated project cost is \$366,850.00 and currently state aid streets are not assessed.

(III) 13th Street SE/Greenway Boulevard

The total estimated project cost is \$664,575.00 and if the state aid amount of \$366,850.00 is thrown in the total and not assessed, the total amount assessed to the entire project is \$297,725.00 and the resulting assessment rate would be \$67.60 per front foot benefit and \$22.53 per end foot benefit.

AREAS PROPOSED TO BE ASSESSED

Peabody's 1st Addition

Lots 1-25	Block 1
Lots 1-13	Block 2
Lot 1	Block 3

Absey's 2nd Addition

Lots 7,8,15 and 16	Block 1
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Absey's 3rd Addition

Lots 5-8, 15, 16	Block 1
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Beste Additon

Replat of Lots 2,10	Block 1 (Lot B)
Lots 6-9	Block 1

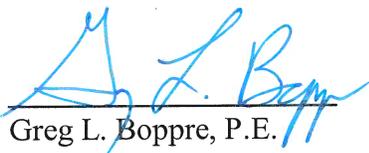
Unplatted Property

SW ¼, SW ¼ Section 12, T 151N, R 50W

We feel the projects as described are feasible.

If you have any questions, or if additional information is needed, please contact our office.

Respectfully yours,
FS Engineering


Greg L. Boppre, P.E.

GLB:kk

CC: Scott Huizenga, City Administrator

STREET RECONSTRUCTION
13th Street SE from Rhinehart Dr to 11th Ave SE
EAST GRAND FORKS

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
2104.505	Remove Pavement	SY	50	\$5.00	\$250.00
2104.607	Salvage Aggregate Base	CY	855	\$6.00	\$5,130.00
2105.501	Common Excavation (P)	CY	50	\$8.00	\$400.00
2105.525	Topsoil Borrow (LV)	CY	50	\$15.00	\$750.00
2211.607	Aggregate Base	CY	100	\$35.00	\$3,500.00
2301.529	Reinforcement Bars (Epoxy Coated)	LB	2,800	\$3.00	\$8,400.00
2301.604	Concrete Pavement 7.0"	SY	4,400	\$48.00	\$211,200.00
2504.602	Adjust Gate Valve & Box	EA	2	\$300.00	\$600.00
2506.522	Adjust Frame and Ring Castings	EA	4	\$600.00	\$2,400.00
2531.501	Concrete Curb and Gutter, Design B624	LF	100	\$20.00	\$2,000.00
2563.601	Traffic Control	LS	1	\$2,000.00	\$2,000.00
2573.530	Storm Drain inlet Protection	EA	8	\$100.00	\$800.00
2575.501	Seeding	SY	500	\$2.00	\$1,000.00
TOTAL CONSTRUCTION COST					\$238,180.00
EALC					\$59,545.00
TOTAL					\$297,725.00

STREET RECONSTRUCTION
Greenway Boulevard from Rhinehart Drive to 11th Ave SE
EAST GRAND FORKS

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
2104.505	Remove Concrete Pavement	SY	50	\$5.00	\$250.00
2104.604	Salvage Aggregate Base	CY	1040	\$6.00	\$6,240.00
2105.501	Common Excavation (P)	CY	50	\$6.00	\$300.00
2105.525	Topsoil Borrow (LV)	CY	50	\$15.00	\$750.00
2211.607	Aggregate Base	CY	100	\$35.00	\$3,500.00
2301.529	Reinforcement Bars(Epoxy Coated)	LB	2,880	\$3.00	\$8,640.00
2301.604	Concrete Pavement(7")	SY	5,400	\$48.00	\$259,200.00
2504.602	Adjust Gate Valve & Box	EA	2	\$300.00	\$600.00
2504.602	Adjust Frame and Ring Castings	EA	8	\$1,000.00	\$8,000.00
2531.501	Concrete Curb and Gutter, Design B624	LF	100	\$20.00	\$2,000.00
2563.601	Traffic Control	LS	1	\$2,000.00	\$2,000.00
2573.530	Storm Drain inlet Protection	EA	10	\$100.00	\$1,000.00
2575.501	Seeding	SY	500	\$2.00	\$1,000.00
TOTAL CONSTRUCTION COST					\$293,480.00
EALC					\$73,370.00
TOTAL					\$366,850.00

Request for Council Action

Date: 6-21-11

To: East Grand Forks City Council, Mayor Lynn Stauss, Council President Craig Buckalew, Council Vice President Wayne Gregoire, Council Members: Marc Demers, Greg Leigh, Mike Pokrzywinski, Henry Tweten, and Ron Vonasek.

Cc: File

From: John Wachter/Greg Boppre

RE: 2011 Street Repair – 2nd St. NW and 3rd St. NW

As part of the ongoing street repair projects Greg Boppre, City Engineer and myself looked at repairs to 2nd Street NW (refer to drawing) between the levee and 3rd Street NW.

We discussed two potential options:

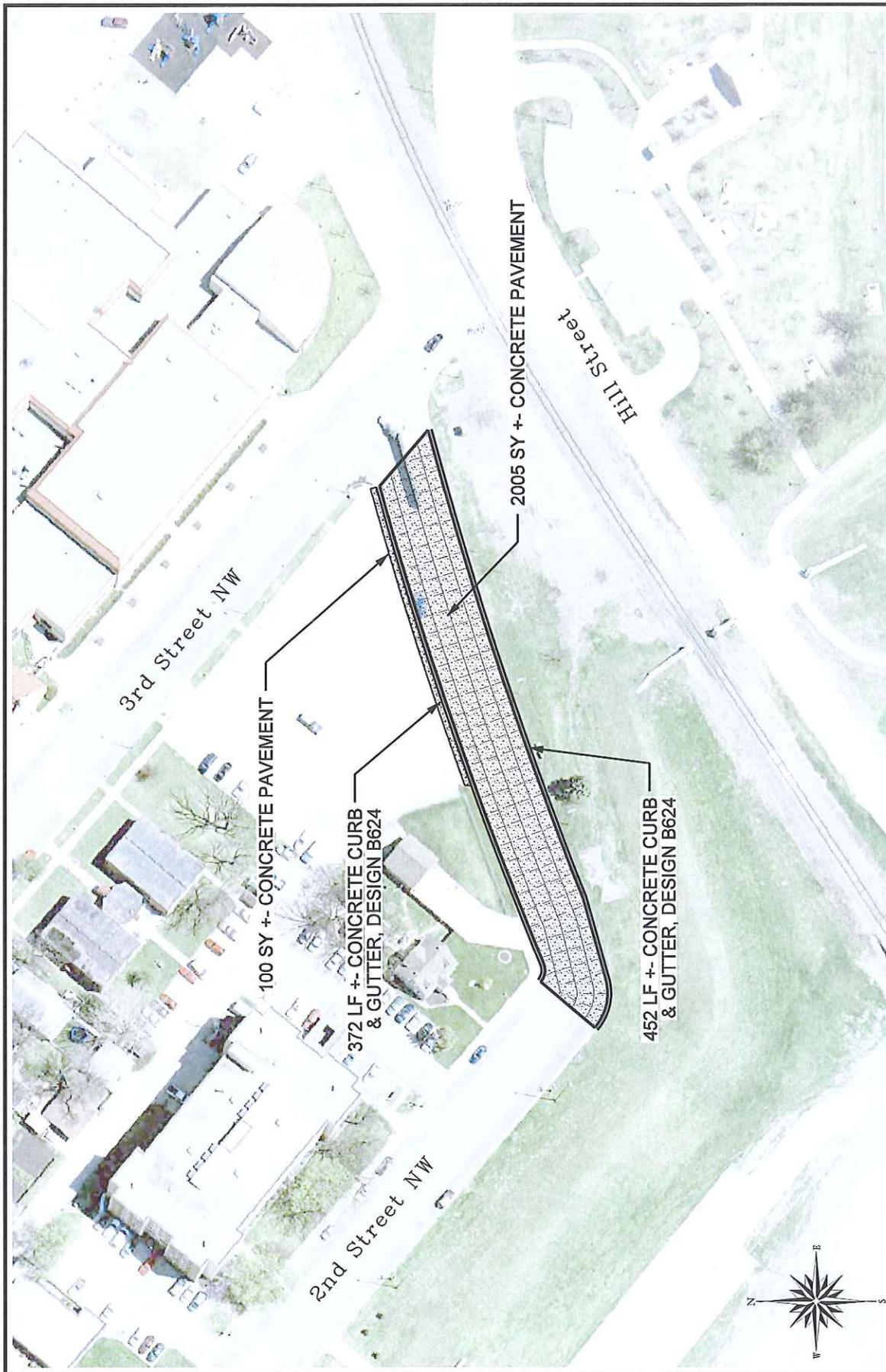
Option #1 Total Replacement.

This is a total replacement of the curb and gutter along with concrete panels. The engineering estimate is \$209,000 (see attached). If this option is approved it will be placed out to bid and brought back to council.

Option #2 Asphalt Overlay.

Replacement of curb and gutter with a 2" asphalt overlay. This option will prolong the life of the street by approximately seven years but in no way eliminates a total panel replacement in the near future. The cost of this will be a little more than the estimated \$50,000 as we will do some other curb repair in the area. If the council approves this option the approval should be for \$60,000. Once approved this work would be scheduled to begin as soon as possible.

Recommendation: Council approve option #2 for 60,000 dollars.



DATE: 6/20/2011	DRAWN BY:	PROJECT	SHEET
DGN: 11_paving_recon_2ndstnw-3rdstnw.DGN	CHECKED BY:	Proposed Street Reconstruction	1 of 1
MODEL NAME: construction_plan	REVISION:	East Grand Forks, Minnesota	
PATH: N:\EGF\proposal-exhibits\11_paving_recon_2ndstnw-3rdstnw.DGN		Between 2nd Street NW & 3rd Street NW	

STREET RECONSTRUCTION
3rd Ave NW from 2nd ST. NW to 3rd ST NW
EAST GRAND FORKS

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
2104.501	Remove Curb and Gutter	LF	824	\$5.00	\$4,120.00
2104.505	Remove Concrete Pavement	SY	2105	\$5.00	\$10,525.00
2104.505	Remove Concrete Driveway Pavement	SY	50	\$6.00	\$300.00
2104.511	Sawing Concrete Pavement (Full Depth)	LF	400	\$7.00	\$2,800.00
2105.501	Common Excavation (P)	CY	400	\$6.00	\$2,400.00
2105.525	Topsoil Borrow (LV)	CY	50	\$20.00	\$1,000.00
2112.604	Subgrade Preparation	SY	2,000	\$4.00	\$8,000.00
2211.607	Aggregate Base(8")	CY	500	\$20.00	\$10,000.00
2301.529	Reinforcement Bars (Epoxy Coated)	LB	800	\$3.00	\$2,400.00
2301.604	Bituminous Tack Coat	Gal	10	\$5.00	\$50.00
2301.604	5" Bituminous Pavement	Ton	50	\$100.00	\$5,000.00
2301.604	Concrete Pavement 7.0"	SY	2,005	\$48.00	\$96,240.00
2504.602	Adjust Gate Valve & Box	EA	4	\$300.00	\$1,200.00
2531.501	Concrete Curb and Gutter, Design B624	LF	824	\$15.00	\$12,360.00
2531.507	6" Concrete Driveway Pavement	SY	50	\$50.00	\$2,500.00
2563.601	Traffic Control	LS	1	\$5,000.00	\$5,000.00
2573.530	Storm Drain inlet Protection	EA	3	\$100.00	\$300.00
2575.501	Seeding	SY	500	\$2.00	\$1,000.00
2582.502	4" Broken Line Yellow - Epoxy	LF	450	\$4.00	\$1,800.00
TOTAL CONSTRUCTION COST					\$166,995.00
EALC					\$41,748.75
TOTAL					\$208,743.75



Offices:
Grand Forks, ND
Fargo, ND

Hwy 81 N • P.O. Box 13530 • Grand Forks, ND 58208-3530 • Phone 701-775-3322 • Fax 701-795-7020

QUOTATION
Street Repair - 1st Ave NW near Sacred Heart
City of East Grand Forks
June 14, 2011

Description	QTY	Unit	TOTAL
approx 420' replace curb & overlay street	1	LS	\$ 49,700.00

Clarifications:

- as per paint on road
- Remove approx 843' curb & gutter
- remove 12" in back of curb at parking lot
- patch back 12" and install expansion joint at back of curb
- mill edge of curb to install asphalt minimum of 1" at curb line
- 2" overlay at crown - super pave mix
- Restore any disturbed turf with hydro seed

All Work to City Specs

BUILD WITH THE BEST

"An Equal Opportunity Employer"
2010 national 1st place safety excellence award winner



Request for Council Action

Date: July 7, 2011

To: East Grand Forks City Council, Mayor Lynn Stauss, President Craig Buckalew, Council Vice President Wayne Gregoire, Council Members: Marc Demers, Henry Tweten, Greg Leigh, Mike Pokrzywinski and Ron Vonasek.

Cc: File

From: Greg Boppre, P.E.

RE: Report of Feasibility– Cul-de-Sacs, Club Acres Addition

Background:

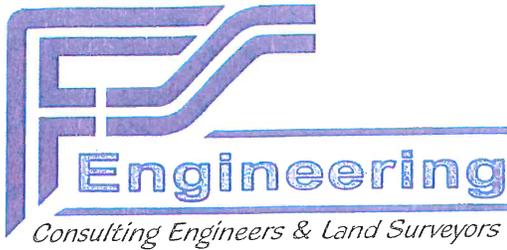
As per the request of Council, attached please find a copy of the report of feasibility to reconstruct the following cul-de-sacs in Club Acres Addition, Eagle Court, Par Place and Birdie Court . The estimated cost to reconstruct these cul-de-sacs is \$245,495, which results in estimated assessment rate of \$162.44 per front foot benefit. These streets were originally constructed in 1975, we would also recommend installing drain tile, to help with subsoil moisture.

Recommendation:

Set date of public hearing

Enclosures:

Report of Feasibility



June 20, 2011

Honorable Mayor and City Council
City of East Grand Forks
PO Box 373
East Grand Forks, MN 56721

RE: Report of Feasibility
Estimate of Cost and
Area Proposed to be Assessed:
Club Acres Addition

Dear Members of the Council:

We have as directed by Council, made an investigation as to the feasibility of removing and replacing the concrete pavement to serve the properties along Eagle Court, Par Place and Birdie Court (see attached map).

We have identified the project need as follows:

The construction of street paving along with the concrete curb and gutter allows for the proper conveyance of surface water to the storm sewer system preventing erosion and saturation of porous soils from rainfall and snow melt. The pavement also benefits the adjacent property owners through increased property values, improved aesthetics and all weather access to the property.

The existing street curb to curb width of the cul-de-sacs is 35 feet, 8 inches.

This project will include the removal of the existing 7" concrete pavement and placement of 7" reinforced concrete pavement for the street shown on the attached exhibit. The existing pavement was constructed in 1975. Also, drain tile will be installed to help with subsoil moisture.

Eagle Court, Par Place and Birdie Court

The total estimated project cost is \$245,495.00, resulting in an assessment rate of \$162.44 per front foot benefit.

AREAS PROPOSED TO BE ASSESSED

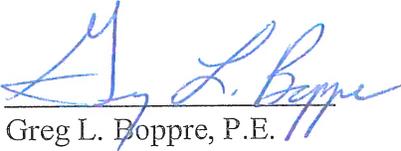
Club Acres Addition

Lots 1-18

We feel the projects as described are feasible.

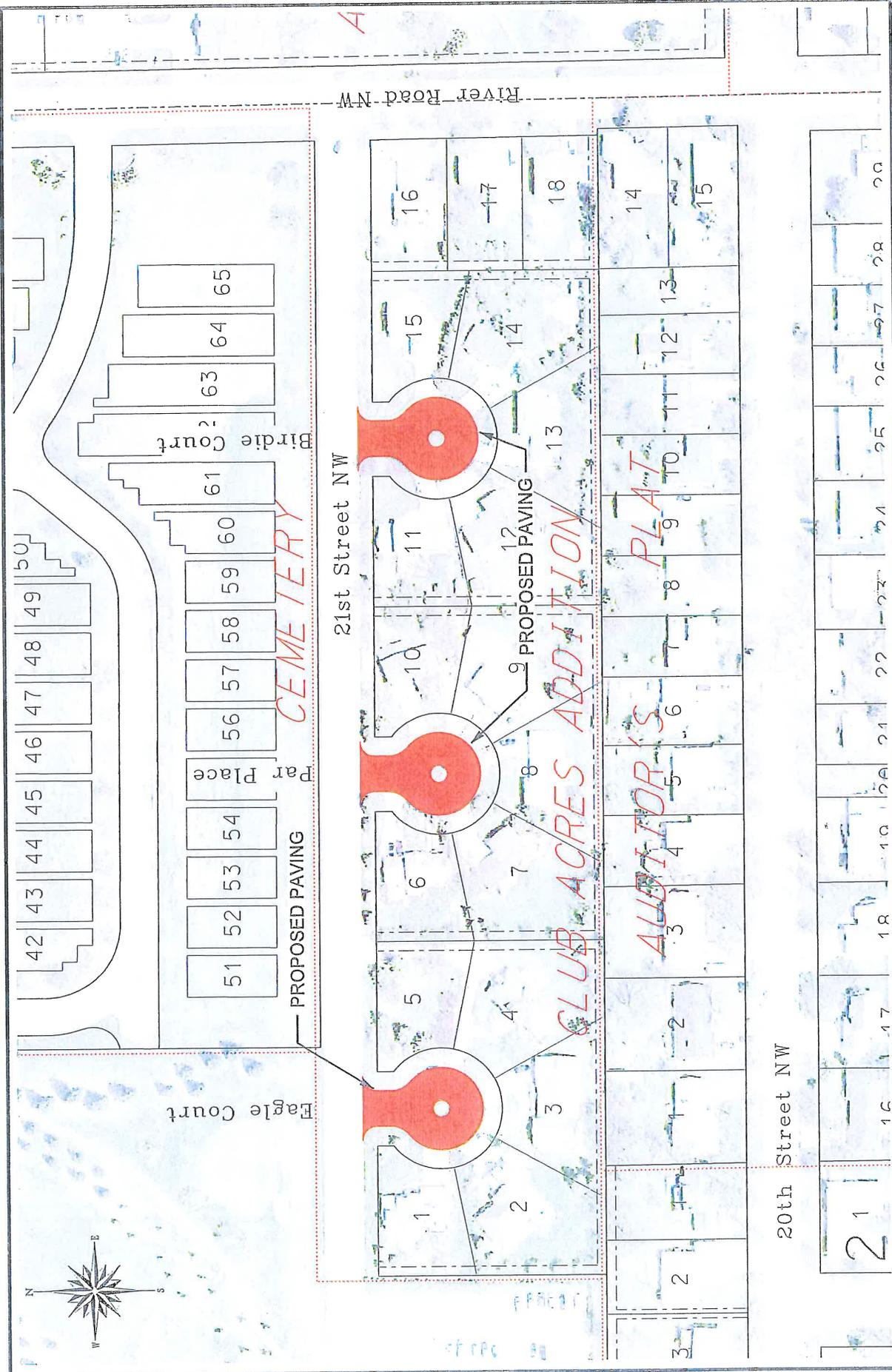
If you have any questions, or if additional information is needed, please contact our office.

Respectfully yours,
FS Engineering


Greg L. Bopp, P.E.

GLB:kk

cc: Scott Huizenga, City Administrator
John Wachter, Public Works Superintendent



DATE: 6/20/2011		DRAWN BY:	
DGN: 11_club_acres_paving-utlis.dgn		CHECKED BY:	
MODEL NAME: construction plan		REVISION:	
PATH: N:\EGF\proposals-exhibits\11_club_acres_paving-utlis.dgn			
PROJECT		SHEET	
Proposed Paving		1 of 1	
East Grand Forks, Minnesota			
Club Acres Addition			

STREET RECONSTRUCTION
Eagle Court, Par Place and Birdie Court
EAST GRAND FORKS

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
2104.501	Remove Curb and Gutter	LF	1080	\$5.00	\$5,400.00
2104.505	Remove Concrete Pavement	SY	2500	\$5.00	\$12,500.00
2104.505	Remove Concrete Driveway Pavement	SY	300	\$6.00	\$1,800.00
2104.509	Remove Casting	EA	3	\$250.00	\$750.00
2104.511	Sawing Concrete Pavement (Full Depth)	LF	200	\$7.00	\$1,400.00
2105.501	Common Excavation (P)	CY	525	\$6.00	\$3,150.00
2105.525	Topsoil Borrow (LV)	CY	50	\$20.00	\$1,000.00
2112.604	Subgrade Preparation	SY	2,500	\$4.00	\$10,000.00
2211.607	Aggregate Base (8")	CY	500	\$20.00	\$10,000.00
2301.529	Reinforcement Bars (Epoxy Coated)	LB	1,000	\$3.00	\$3,000.00
2301.604	Concrete Pavement 7.0"	SY	2,250	\$45.00	\$101,250.00
2502.541	4" Perforated Drain Tile	LF	882	\$3.00	\$2,646.00
2504.602	Adjust Gate Valve & Box	EA	3	\$300.00	\$900.00
2506.516	Casting Assembly Type C	EA	3	\$1,200.00	\$3,600.00
2531.501	Concrete Curb and Gutter, Design B624	LF	1,080	\$15.00	\$16,200.00
2531.507	6" Concrete Driveway Pavement	SY	300	\$50.00	\$15,000.00
2563.601	Traffic Control	LS	1	\$5,000.00	\$5,000.00
2573.530	Storm Drain inlet Protection	EA	8	\$100.00	\$800.00
2575.501	Seeding	SY	1000	\$2.00	\$2,000.00
TOTAL CONSTRUCTION COST					\$196,396.00
EALC					\$49,099.00
TOTAL					\$245,495.00

Request for Council Action

Date: June 22, 2011

To: East Grand Forks City Council, Mayor Lynn Stauss, President Craig Buckalew, Council Vice President Wayne Gregoire, Council Members: Marc Demers, Henry Tweten, Greg Leigh, Mike Pokrzywinski and Ron Vonasek.

Cc: File

From: Greg Boppre, P.E.

RE: Paving – 14TH Ave SE/11th Ave SE

Background:

The City received a petition for street improvements on 14th Ave SE, from Greenway Boulevard to 17th Street SE(see attached map). The petition satisfies the 35 percentage requirement for considering improvements. This proposed paving project has been presented at a previous Work Session and the public hearing was held February 2011. Therefore, attached is a revised cost estimate to pave the entire street with concrete is \$307,000.00. The estimated assessment rate for this improvement would be \$205.76/ft or approximately \$16,000 per household. It is assumed the City is paying for the other half of the street, which is \$153,500.

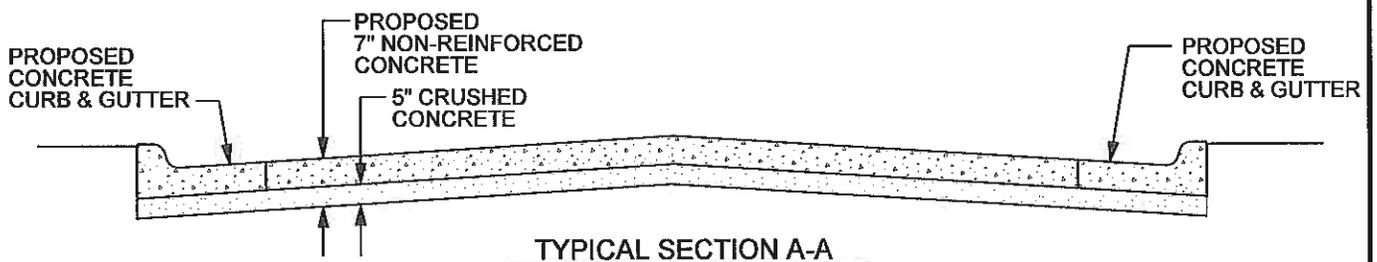
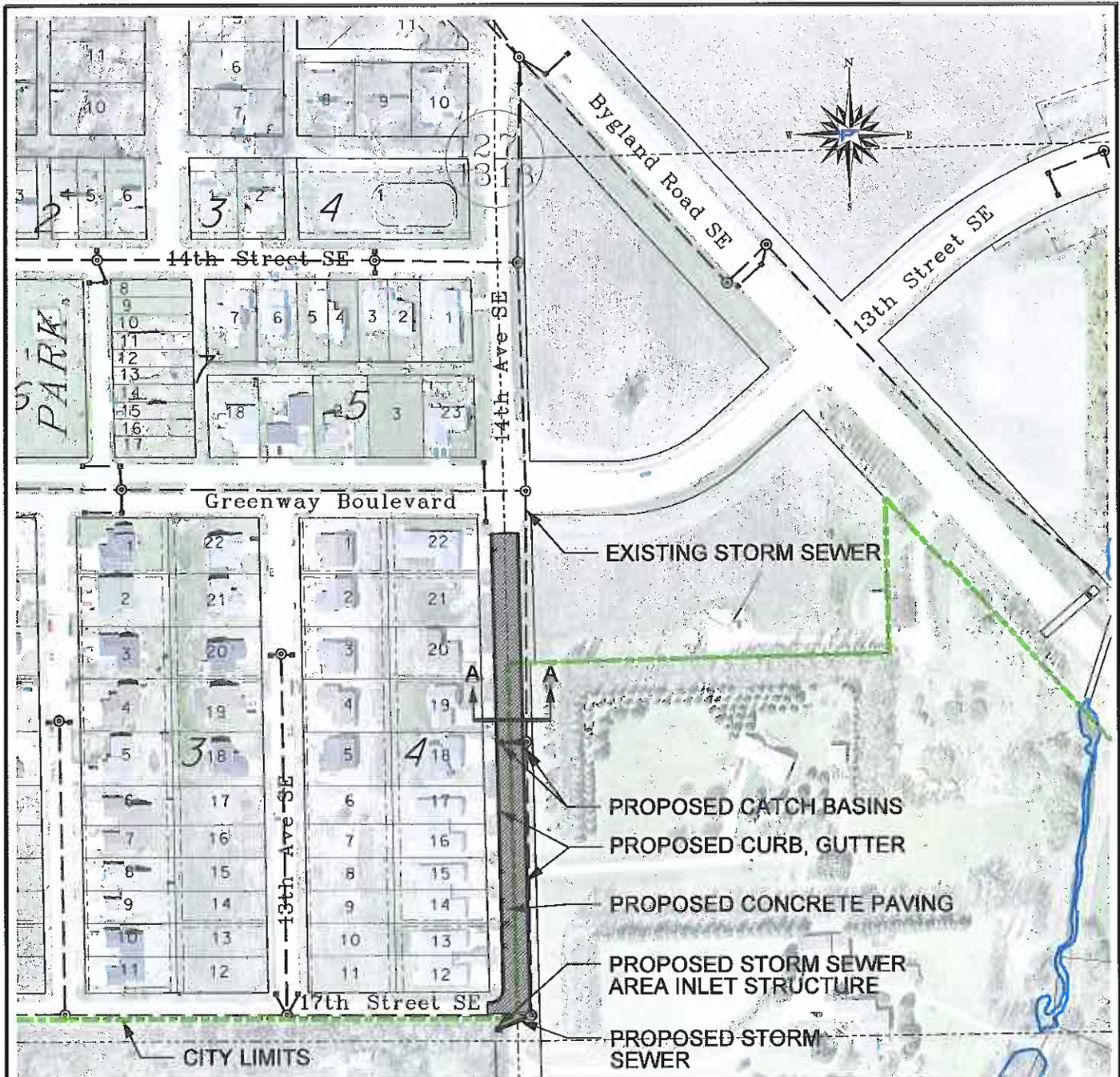
Also, the City is proposing to pave the other half of 11th Ave SE from Greenway Boulevard to 17th Ave SE(see attached map). The cost estimate to perform this work is \$102,337.50(see attached).

Recommendation:

Authorize plans and specifications

Enclosures:

Maps and estimates



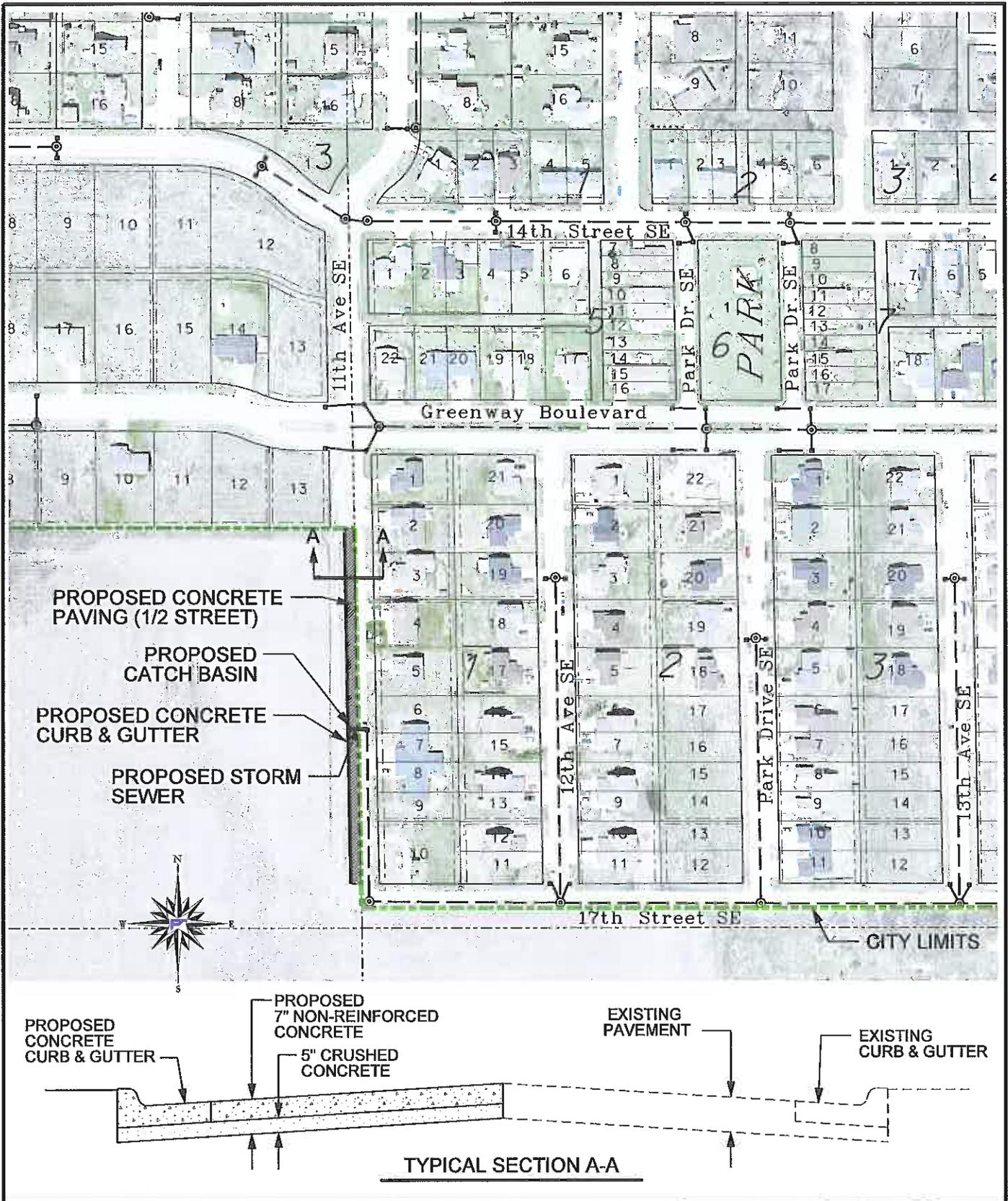
DRAWN BY: _____
 DATE: 6/22/2011
 DGN: 11_14th_ave_se_paving.dgn
 MODEL NAME: construction plan

PROJECT:
**14TH AVENUE SE STREET PAVING
 EAST GRAND FORKS, MINNESOTA**

SHEET:
1 OF 1

STREET RECONSTRUCTION
14TH Ave SE from Greenway Blvd to 17th ST SE(1/2 concrete1/2gravel)
EAST GRAND FORKS

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
2104.501	Remove Pipe Culverts	EA	11	\$300.00	\$3,300.00
2104.505	Remove Bituminous Pavement	SY	50	\$15.00	\$750.00
2104.523	Salvage Sign Panel Type C	EA	4	\$30.00	\$120.00
2104.607	Salvage Aggregate Base	CY	200	\$6.00	\$1,200.00
2105.501	Common Excavation (P)	CY	2,500	\$8.00	\$20,000.00
2105.525	Topsoil Borrow (LV)	CY	150	\$15.00	\$2,250.00
2105.604	Geogrid	SY	2,900	\$4.00	\$11,600.00
2112.604	Subgrade Preparation	SY	2,900	\$2.00	\$5,800.00
2211.607	Aggregate Base	CY	400	\$35.00	\$14,000.00
2301.529	Reinforcement Bars (Epoxy Coated)	LB	1,500	\$3.00	\$4,500.00
2301.604	Concrete Pavement 7.0"	SY	2,400	\$48.00	\$115,200.00
2503.511	12" RCP Storm Sewer	LF	36	\$40.00	\$1,440.00
2503.511	18" RCP Storm Sewer	LF	60	\$60.00	\$3,600.00
2504.602	Adjust Gate Valve & Box	EA	3	\$300.00	\$900.00
2506.516	Casting Assembly, Type A	EA	2	\$1,000.00	\$2,000.00
2506.516	Casting Assembly Type C	EA	1	\$1,200.00	\$1,200.00
2506.602	Install Catch Basin	EA	3	\$3,000.00	\$9,000.00
2506.603	Construct Storm Manhole (48")	LF	10	\$250.00	\$2,500.00
2531.501	Concrete Curb and Gutter, Design B624	LF	1,492	\$20.00	\$29,840.00
2531.507	6" Concrete Driveway Pavement	SY	100	\$50.00	\$5,000.00
2563.601	Traffic Control	LS	1	\$5,000.00	\$5,000.00
2573.530	Storm Drain inlet Protection	EA	4	\$100.00	\$400.00
2575.501	Seeding	SY	3000	\$2.00	\$6,000.00
TOTAL CONSTRUCTION COST					\$245,600.00
EALC					\$61,400.00
TOTAL					\$307,000.00



DRAWN BY: _____

DATE: 6/22/2011

DGN: 11_11th_ave_se_paving.dgn

MODEL NAME: construction plan

PROJECT:

**11TH AVENUE SE STREET PAVING
EAST GRAND FORKS, MINNESOTA**

SHEET:

1 OF 1

STREET RECONSTRUCTION
11TH Ave SE from Greenway Blvd to 17th ST SE(west 1/2 concrete)
EAST GRAND FORKS

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
2104.505	Remove Pavement	SY	50	\$5.00	\$250.00
2104.607	Salvage Aggregate Base	CY	160	\$6.00	\$960.00
2105.501	Common Excavation (P)	CY	200	\$8.00	\$1,600.00
2105.525	Topsoil Borrow (LV)	CY	50	\$15.00	\$750.00
2211.607	Aggregate Base	CY	100	\$35.00	\$3,500.00
2301.529	Reinforcement Bars (Epoxy Coated)	LB	500	\$3.00	\$1,500.00
2301.604	Concrete Pavement 7.0"	SY	1,050	\$48.00	\$50,400.00
2503.511	12" RCP Storm Sewer	LF	36	\$40.00	\$1,440.00
2504.602	Adjust Gate Valve & Box	EA	2	\$300.00	\$600.00
2506.516	Casting Assembly Type C	EA	1	\$1,200.00	\$1,200.00
2506.602	Install Catch Basin	EA	1	\$3,000.00	\$3,000.00
2531.501	Concrete Curb and Gutter, Design B624	LF	606	\$20.00	\$12,120.00
2563.601	Traffic Control	LS	1	\$2,000.00	\$2,000.00
2573.530	Storm Drain inlet Protection	EA	4	\$100.00	\$400.00
2575.501	Seeding	SY	1200	\$2.00	\$2,400.00
TOTAL CONSTRUCTION COST					\$81,870.00
EALC					\$20,467.50
TOTAL					\$102,337.50

MEMORANDUM

To: Scott

From: Ron Galstad

Re: Hartsville Road Paving

Date: June 29, 2011

ISSUES

- I. Whether the City of East Grand Forks can expend municipal funds on the paving and maintenance of a roadway where half of said road is outside of the corporate city limits.
- II. Whether only the other half of the roadway may be annexed into city limits rather than a larger area of property.

BRIEF ANSWERS

- I. A city with a population less than 10,000 people may expend reasonable sums of money for the improvement and maintenance of roads leading into the city even though the road is not within the corporate limits.
- II. There does not appear to be any requirement of an area to be annexed in Minnesota Statutes, and as such the area comprising the other half of the roadway may be annexed by the city.

DISCUSSION

I. The City of East Grand Forks can expend municipal funds on the paving and maintenance of a roadway where half of said road is outside of the corporate city limits

Minnesota Statutes section 441.26 provides that

The council of any statutory city or of any city of the fourth class may appropriate and expend such reasonable sums as it may deem proper to assist in the improvement and maintenance of roads lying beyond its boundaries and leading into it and to improve and maintain bridges and ferries thereon whether they are within or without the county in which it is situated.

A fourth class city is any city that has a population of less than 10,000. Minn. Stat. § 410.01 (2010). As East Grand Forks has less than 10,000 residents, it would be considered a city of the fourth class. Id. Since East Grand Forks is a city of the fourth class, if the council so chooses, it can expend reasonable sums on roads leading into the city despite that road lying beyond the corporate city limits. The Charter to the City of East Grand Forks, section 10.08 provides that

[a]ll general laws and statutes of the state . . . applicable to cities of the same class as the City of East Grand Forks . . . shall apply to the city of East Grand Forks and shall be construed as supplementary to the provision of the charter of the city.

Therefore, the expending of City funds on roads outside of the corporate city boundaries are authorized by both State statutory law, and the charter of the city.

II. The other half of the roadway may be annexed into city limits rather than a larger area of property.

The annexation of areas into a municipality is governed by Minnesota Statutes chapter 414. The process basically involves a hearing before an ALJ whereby certain factors are weighted by the ALJ in determining whether an

annexation is proper. Minn. Stat. §§ 414.01, Subd. 1, 414.031, Subd. 4. One of the many factors that the ALJ can take account of transportation issues, including proposed highway development. Id. § 414.031, Subd. 4(a)(6). With regard to roads and annexation, Minnesota Statutes section 414.038 provides that “[w]henver a municipality annexes the property on both sides of a township road, that portion of road abutting the annexed property ceases to be a town road and becomes the obligation of the annexing municipality.” There is no requirement that the municipality annex any certain amount of property on the sides of the road for it to become a city road.

There are some things to note with a proposed annexation. First, an ALJ can adopt joint agreements of political subdivisions, such as the City and a township, into its order of annexation. Minn. Stat. § 414.038. With regard to any obligations following annexation, the City would be required to reimburse the township for any loss that the township experiences in losing the ability to levy taxes and special assessments on that property. Id. § 414.036. Such reimbursement can be waived by agreement of the township and City. Id. There are various notice and filing requirements, including the filing with the ALJ of maps of the city and of plat of any subdivision to be included in an annexation. Id. § 414.012.

Conclusion

The City of East Grand Forks, due to its population, is authorized under state law to expend funds on road projects outside of the city limits so long as the road is an access point to the city. If the city so desired, it could proceed with an annexation of the other half of the roadway in question, but should be prepared to

comply with the notice and hearing requirements of Minnesota Statutes chapter 414.