

PROPOSED MINUTES OF THE CROOKSTON CITY COUNCIL, POLK COUNTY, MINNESOTA. THE SECOND REGULAR MEETING OF FEBRUARY 26, 2008, COUNCIL CHAMBERS, CITY HALL.

Assistant Mayor Keith Mykleseth called the meeting to order at 7:00 p.m. and requested all present to stand for a moment of silence.

Council Members present in answer to roll call were: Craig Bunes, Marlys Mjoen, Wayne Melbye, Harry Manole, Tom Vedbraaten, Guy Martin and Frank Lindgren.

Council Member absent: Mayor Dave Genereux.

Staff present were: Pat Kelly, Mike MacDonald, Tom Lindo, Scott Kleven, Aaron Parrish and Betty Arvidson.

CROOKSTON FORUM

There was no one present to address the Council.

APPROVAL OF AGENDA

On Motion by Council Member Lindgren, seconded by Council Member Manole and duly carried that the agenda be approved as presented.

CONSENT AGENDA

On motion by Council Member Vedbraaten, seconded by Council Member Bunes and duly carried by roll call vote to approve the Consent Agenda which includes the following items:

6.01 City Council Minutes of February 12, 2008.

6.02 Resolution to approve City of Crookston bills and disbursements in the amount of \$367,523.45. Ck Nos. 33733 through 33840. (Res. No. 24806)

6.03 Garbage Hauling License for Bacon's Dray Sanitation for 2008.

PUBLIC HEARINGS

7.01 Assistant Mayor Mykleseth opened the public hearing on the 2008 Street Improvements.

Mykleseth stated the Council and staff realize proposed assessments for non-state aid streets are too high and they will be looking at options to bring the level of the assessments down. He also stated he will be taking the 2008 street projects in order. He will read off each street and if anyone wishes to make comments on the project to please come to the podium and state their name and address.

The first project is Birch Street from West 6th Street to West 7th Street – there were no comments on this project.

The second project is Stephen's Drive from University Avenue to Hoven Lane – there were no comments on this project.

The third project is West 7th Street from University Avenue to Birch Street. Bryan Plante, 617 West 7th Street stated he was shocked when he received the proposed assessment notice. He has lived in Crookston most of his life, moved back to Crookston, purchased property and put a double wide manufactured home on the property approximately nine years ago. At that time he paid \$61,000 for it and the current EMV at the County is \$72,000. His assessment would basically wipe out any equity in his home. Looking at trying to sell it at some point in time he just doesn't see how this will be possible with this assessment. He stated he does not know what amount the school will be paying, but their buses do more damage driving up and down the road than his minivan. If it looks like it is going to continue to go up like this, with the property taxes continuing to go up, for him and his family, it would be better to pull up stakes and move across the river which is where he works.

Mykleseth restated that we do realize the present assessments are too high and are going to try to do some things to bring those numbers down more in line with last years assessments.

Council Member Mjoen informed Mr. Plante that the full Council had met this morning, in a Ways and Means Committee, to discuss this and it was a very good meeting. They did not come to a final conclusion yet but the consensus was to proceed with getting bids to see where the prices come in at. It is the hope to reduce the non-state aid assessments by about 25%. This will hopefully be a big help to the residents. Mjoen also stated the school is receiving a very substantial assessment so they are paying for their use of the street.

The fourth project is West 7th Street from Pine Street to North Front Street. Terry Wolfe, 716 Pine Street, started by commending the Council for keeping the streets up. It does seem like the assessments are fairly high. He had spoken to Council Member Mjoen before the meeting and she had explained the Council is looking at options to reduce the costs. He hoped that would work out. Mr. Wolfe asked if the city contributed on street projects. Public Works Director Pat Kelly explained there is a city contribution on street projects. On the non- state aid streets the city contributes \$50 per foot on both sides of the street. For example, the estimates on Mr. Wolfe's street came in at \$154 per foot. That was reduced by \$50 per foot city share, which leaves \$104 per foot to be assessed. As Council Member Mjoen stated the Council is looking at ways to reduce that price by 20 to 30%. Mr. Wolfe asked if state-aid streets are assessed or if the projects were free to landowners. Kelly stated the state-aid street residents are assessed \$50 per foot. That was increased last year from \$35 per foot. We are trying to get the state aid and non-state aid rates somewhat in line with each other. Two of the projects this year are state aid projects and two are not. Mr. Wolfe thanked the Council for their time and stated that anything they could do would help.

The last project is the South side of Bertha from Holly to Ash and the West side of Holly from Bertha to dead end at levee. Mykleseth stated at the last Utility meeting it was agreed that we need assessment agreements signed by all parties before proceeding with this project.

Brenda Hatzman, 212 Bertha Street, stated she is the person that approached Pat Kelly a year and a half ago to have curb and gutter put in for two reasons. One is to improve the looks of her property and the other is on the Holly Street side she has an excessive problem with the neighbors driving into her yard 50' and turning around. She has custody of her three grandchildren and she does not need people driving in her yard and potentially running over one of her grandchildren while they are playing in their yard. There is only one person opposing her as there are only two landowners on the block. When she first approached Kelly about this the price was only \$22 per foot, last year it went up to \$37 per foot and now it is \$45.83 per foot. If she has to keep fighting this neighbor on getting a curb and gutter put in how high is this price going to reach? Hatzman doesn't think it is fair that she be prohibited from improving her property because one person doesn't want to spend the money. Hatzman doesn't understand why it can't be curbed and guttered on her property. She stated that Kelly said there is a drainage issue but the drainage for this street is on the opposite side of the street, which is already curbed and guttered. She is not sure why her side of the street does not have curb and gutter. It was that way when she bought the property. She plans to live in the home for the rest of her life; she has no plans of leaving or selling, so she would like to improve her property. She takes pride in home ownership. Part of curb and gutters is improving her property. If you look at the property across that has curb and gutter their yards look much nicer. She is trying to make improvements to her property. She stated that she owns more than 50% of the affected property on that block. She owns 192' on Bertha where the other property owner only owns 128'. She asked the Council to consider letting her do her portion on her property. She understands that the drainage issue needs to be looked at further but there are no drains on her side whether there is curb and gutter or not. She feels that having curb and gutter will allow the water to flow better. Right now the grass is growing into the street. There is blockage there because when people drive on it they leave ruts. Her other question is, if the city will only do the project if both parties sign the agreement on the Holly Street side, which is the side where she has the problem with people driving into her yard, no one is contesting her there as she is the only property owner, can she still get that part done?

Mykleseth questioned if there is anything we can do from an enforcement standpoint to control the driving on her yard. Mykleseth asked if this item had been discussed at a Street/Utility Committee meeting. Kelly stated that it had been discussed. Mykleseth asked if it was a recommendation from that committee to get both parties to sign an assessment agreement before moving forward with the project. Kelly stated that it was. Mykleseth stated there is a Street/Utility Committee meeting scheduled for March 3rd and we could talk about her options there. But as it stands now we would need both landowners to sign an assessment agreement before moving forward with the project. Mykleseth noted that Hatzman should be sent a notice of the next Street/Utility Committee meeting so she can come and discuss the project and the options.

City Administrator Aaron Parrish asked Kelly if Hatzman would have the option to hire her own contractor assuming they meet the city's plans and specifications? Kelly stated that he had spoken to Hatzman prior to the Council meeting about that and that may be an option. Hatzman stated that the reason she wanted to go the route of having the city do the project is that she could then have it assessed to her property and pay for it over a period of time where if she did it herself she would have to pay for it all at once.

Mykleseth asked if there was anyone else that wished to be heard and upon hearing none closed the public hearing.

REGULAR AGENDA

8.01 On Motion by Council Member Manole, seconded by Council Member Lindgren and duly carried:
Resolution to approve ordering improvement and preparation of plans and specifications for the 2008 Street Improvements.(Res. No. 24807)

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8.02 On Motion by Council Member Bunes, seconded by Council Member Martin:

To Introduce an Ordinance of the City of Crookston amending City Code Chapter 152, Entitled “Zoning” by adding to or changing certain definitions in Section 152.003 entitled “Definitions”, by repealing Section 152.116(D) and by changing and reorganizing Sections 152.090 thru 152.102, containing Floodplain Regulations.

Second reading and final passage will be held on March 11, 2008.

8.03 On Motion by Council Member Vedbraaten, seconded by Council Member Lindgren;

To Introduce an Ordinance of the City of Crookston, Minnesota, amending City Code Chapter 152, Entitled “Zoning” by amending a portion of Section 152.050 entitled “Central Business District (C-1) to allow apartments on the first floor level by conditional use.

Second reading and final passage will be held on March 11, 2008.

REPORTS AND STAFF RECOMMENDATIONS

Guy Martin, Council Member at Large - No report.

Tom Vedbraaten, Council Member 6th Ward thanked Aaron Parrish, Tina Trostad and Betty Arvidson for their work in coordinating the lobbying trip to St. Paul. It was nice getting down to St. Paul and everything was set up.

Harry Manole, Council Member 5th Ward - No report.

Wayne Melbye, Council Member 4th Ward, also thanked the staff for setting up the lobbying trip to St. Paul. Hopefully it will do some good.

Marlys Mjoen, Council Member 2nd Ward, stated the trip to St. Paul went really well, was well organized and she was very pleased with our reception.

Craig Bunes, Council Member 1st Ward - No report.

Frank Lindgren, Council Member-at-Large - No report.

Assistant Mayor Mykleseth thanked the public who attended the public hearing tonight for their input.

ADJOURNMENT

Assistant Mayor Mykleseth declared the meeting adjourned at 7:32 p.m.

Keith R. Mykleseth, Assistant Mayor

Betty J. Arvidson, City Clerk-Treasurer