

PROPOSED MINUTES OF THE CROOKSTON CITY COUNCIL, POLK COUNTY, MINNESOTA. THE FIRST REGULAR MEETING OF FEBRUARY 8, 2010, COUNCIL CHAMBERS, CITY HALL.

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

ROLL CALL

Council Members present in answer to roll call were: Dana Johnson, Marlys Mjoen, Keith Mykleseth, Dale Stainbrook, Tom Vedbraaten, Guy Martin and Frank Lindgren.

Council Member absent was: Wayne Melbye.

Staff present were: Pat Kelly, Tim Motherway, Scott Kleven, Richard Rock, Mike MacDonald, Tracy McGlynn, and Betty Arvidson.

CROOKSTON FORUM

There was no one present to address the Council.

APPROVAL OF AGENDA

On motion by Council Member Mykleseth, seconded by Council Member Johnson and duly carried that the Agenda be approved as presented.

CONSENT AGENDA

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

- 6.01 Council Minutes of January 27, 2010.
- 6.02 Resolution for Crookston bills and disbursements in the amount of \$548,503.58. Ck. Nos. 39035 through 39147. (RES. NO. 25234)
- 6.03 Resolution for partial pay estimate No. 3 to Nordpal Corp. dba Midland Bi-fold Doors.on the 10-Unit T Hangar in the amount of \$198,180.00. (RES. NO. 25235)
- 6.04 Resolution to authorize the purchase of a boiler for the Fire Hall from Proulx Refrigeration, Heating and Appliances, Inc. (RES. NO. 25236)
- 6.05 Gas Fitters License for Brodin Sheet Metal, Thief River Falls.
- 6.06 Cement Mason License for Tony Anderson, Grand Forks, ND.

PUBLIC HEARINGS

7.01 Mayor Genereux opened the public hearing on the 2010 Street Improvements. He instructed those that wanted to address the Council during the hearing to come to the podium and state their name and address.

The first project is the reconstruction of Gorgas Avenue from West Robert Street to West Fletcher Street. Laurel Ambuehl, 213 Gorgas, stated she had talked to city staff before regarding the number of trucks going through the neighborhood pounding their street to pieces. According to an article she had city officials admitted that the trucks beat up the neighborhood. Ambuehl stated she feels this (street project) is a legitimate use of the flood fund. The city should not come back after ruining their neighborhood, taking out their park, messing up the roads and the residents going through dirt, dust and noise for two years and be asked to pay to fix their street. Mayor Genereux asked Public Works Director Pat Kelly what shape the street was in before the project. Kelly stated it was in poor shape.

Judy Rockefeller, 214 Gorgas, stated their road may have been in poor shape but it wasn't a dirt road like it is now. After they tore up the water main on her side of the street her floor is now about an inch from the wall in her house and there are cracks in her walls. She stated her house was together before they started this project.

It is from all the banging and the trucks driving by her house, both in front and in back of her home. And then they get a bill in the mail for \$3,750 that they have to pay the city for what they have done to their neighborhood. She stated she does not agree with this.

Mayor Genereux asked Community Development Director Mike MacDonald if the property is damaged during the project does the city have any recourse on that. MacDonald stated that during the course of the project if property owners had noticed damage occurring their recourse is to talk with the contractor. He stated we were not aware of any damage that occurred to any properties, and the project has since been closed out. He is not sure if property owners can make a claim at this point in time. The contractor was required to make a predamage assessment of the properties prior to the project.

Alan Rockefeller, 214 Gorgas, stated that his wife is Judy and what she was trying to tell the Council is that with all the vibrating of equipment, the dirt packing, and the heavy equipment going back and forth they could not even keep pictures on the wall. The vibrating was behind and in front of their house. Then when the city put the new water pipes in they took part of their front yard. He stated they have pictures of before and after the water main project. He stated he has had a heart attack and two strokes and he works at the ODC to pay for his medication of \$12,000 a year and there is no way that he can afford this. Mayor Genereux asked Kelly what our assessment rate for this project is. Kelly stated that it is \$25/foot. Mayor Genereux asked the Rockefellers how many feet of property they own. Mr. Rockefeller stated he did not know. He also stated that he did not feel they need curb as their property is still in a flood zone and they can not build anything. Council Member Mykleseth asked Kelly what the assessment rate was before we changed the assessment rates. Kelly stated that it ran around \$115 per foot. Mykleseth stated at that time the Council realized this was too much and homeowners would have a hard time paying for it. They had a lot of discussion about what to do to try to get the rate down to help homeowners. They came up with a way to fund projects where the homeowner is now being charged \$25 per foot so the City is picking up a significant amount of the costs of street projects. As far as the water main goes, the water department pays for that and it is only prudent to put the water main in before you finish the street. The Street/Utility Committee had also been discussing the fact there had been a lot of construction in this area. The Committee moved the reconstruction of the streets up a year on the street improvement list so that it could get done as the residents in that neighborhood have been putting up with construction for several years now. The City has taken a good step forward in helping citizens with this. Mykleseth stated if they are not able to pay we can work with them on this. Mykleseth feels the City is doing about all they can do to protect their Addition at the lowest cost to the homeowners possible.

Roger Delage, 321 Gorgas, asked if MacDonald had a rough idea of when they would come out of the flood plain. MacDonald stated that the normal review process, once everything has been submitted, is two years. Given that timeline, it is likely that the residents in this area will be considered in the flood plain for some time into the future. MacDonald stated he can not say when that date is. The City will try to fast track the process as it is in the best interest of the residents. Mykleseth asked if we are looking at a minimum of three years, and MacDonald concurred.

Laurel Ambuehl stated since the DNR authorized the use of the SSD funds for MacDonalds salary what did they say about using the flood fund for repairing the roads after the project was completed. Arvidson stated they have not been asked. Mykleseth asked Ambuehl if she understood the fact that streets use to cost the residents over \$100 per foot and now it is only costing \$25 per foot and that somebody is paying the difference.

Council Member Johnson asked if there is a way we could find out if even a percentage of the assessment could be paid out of SSD funds. Mayor Genereux suggested bringing this issue back to the Street Committee for further discussion. Mykleseth pointed out that you also have to take into consideration Sampson's, Jerome's and all the other Additions yet to be done.

The second project is the reconstruction of West Loring Street from Maple Street to the Red lake River. Jerry Reitmeier, owner of J & J Performance Auto on the corner of West Loring had been to the Council before and asked that the block of West Loring be added to the project. He stated that the streets did get beat up from the project but in the end they all knew they needed new streets in that Addition. If they could get some help out of the flood (SSD) fund that would be great otherwise the residents will have to pay the bill as he feels the work has to be done. He also wanted to comment on the flood fund. As far as he is concerned the money was put there for flood fund, it wasn't for wages or hockey arenas. He spoke to the inspecting engineer from SEH when they were working on the project down by his shop, and they looked at all the rock that was put in the riffle dam and on the Sampson's side of the project. The engineer stated that all the rock is supposed to stay that way and has to be maintained. If you look at the new rock that was just put in, it looks pretty nice. But if you look at the rock put in for the riffle dam a few years ago there are trees growing through, leaves and junk in there. The inspector indicated it is the city's job to maintain this project. There is a lot of maintenance to do and the flood fund was set up for flood fund.

Walt Keller, 301 Maple Street stated that Loring goes next to his property, and he has heard the project described as West Loring Street from Maple Street to the Red Lake River. He asked if this includes the one-half block of West Loring that goes to the railroad. Council Member Vedbratten stated this was going to be done next year when they do Maple Street. Keller stated this is not what was conveyed to him and if it is not being done this year the City is going to have to address his situation. He could not even drive on that section this spring with his 4-wheel drive pickup. Rich Clauson, WSN, stated that while discussing this section they felt they would get a better end product if they waited to do this section when they do Maple Street next year.

The third project is the bituminous mill and overlay of Bruce Street from Old TH 75 to College Avenue. Mary Bollinger, 509 College Avenue, stated she received her notice regarding Bruce Street. She does not use Bruce Street as she travels east on Carroll Street. She stated she never uses Bruce Street therefore does not feel she should pay for it.

Mayor Genereux asked if anyone else wished to be heard and upon hearing none closed the public hearing.

REGULAR AGENDA

8.01 On motion by Council Member Mykleseth, seconded by Council Member Vedbraaten and duly carried to :
Approve ordering improvement and preparation of plans and specifications for the 2010 Street
Improvements. (RES. NO. 25237)

8.02 On motion by Council Member Mykleseth, seconded by Council Member Martin and NOT PASSED:
Authorizing reallocation of the expenses of the Community Development Director position from the General
Fund to the Special Service District Flood Fund. (RES. NO. 25238)

Council Member voting in the affirmative: Vedbraaten.

Council Members voting in the negative: Johnson, Mjoen, Mykleseth, Stainbrook, Martin, Lindgren.

Staff was directed to send this item to the upcoming Long Range Financial Planning working session.

REPORTS AND STAFF RECOMMENDATIONS

Mike MacDonald, Community Development Director, stated the bid opening for the next phase of the flood control project will be February 9th at 1:00, with a potential award at the next Council meeting.

Richard Rock, Fire Chief, stated that CERT training will be held February 15th and 24th.

Frank Lindgren, Council Member-at-Large	-	No report.
Dana Johnson, Council Member 1 st Ward	-	No report.
Marlys Mjoen, Council Member 2 nd Ward	-	No report.
Keith Mykleseth, Council Member 3 rd Ward	-	No report.
Dale Stainbrook, Council Member 5 th Ward	-	No report.
Tom Vedbraaten, Council Member 6 th Ward	-	No report.
Guy Martin, Council Member-at-Large	-	No report.

The Mayor and Council members thanked all that contributed to the grand opening of the Crookston Sports Center.

ADJOURNMENT

Mayor Genereux declared the meeting adjourned at 8:00 p.m.

David W. Genereux, Mayor

Betty Arvidson, City Clerk-Treasurer