

**APPROVED MINUTES  
OF THE CITY  
COUNCIL WORK SESSION  
CITY OF EAST GRAND FORKS  
TUESDAY, APRIL 23, 2019 – 5:00 PM**

**CALL TO ORDER:**

*The Work Session of the East Grand Forks City Council for April 23, 2019 was called to order by Council President 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 Steve Gander, Council President Mark Olstad, Council Vice-President Chad Grassel, Council Members Clarence Vetter, Dale Helms, Tim Riopelle, Tim Johnson, and Marc DeMers.*

*Karla Anderson, Finance Director; Nancy Ellis, City Planner; Steve Emery, City Engineer; Ron Galstad, City Attorney; Rod Hajicek, Police Lieutenant; Charlotte Helgeson, Library Director; Reid Huttunen, Parks and Recreation Superintendent; Gary Larson, Fire Chief; David Murphy, City Administrator/Clerk-Treasurer; Megan Nelson, City Clerk; and Jason Stordahl, Public Works Director.*

**DETERMINATION OF A QUORUM:**

*The Council President Determined a Quorum was present.*

**1. Discussion on Upcoming Updates to Intersections along US. Business Highway 2 – Matt Upgren**

Mr. Matt Upgren and Ms. Michelle Rognerud-Adams introduced themselves to the Council and stated how they serve in the Minnesota Department of Transportation District 2 office. Mr. Upgren explained there was an upcoming signal replacement project, how they are looking along Demers Ave and Business Highway 2 areas for this project, how they had ruled out installing roundabouts along Demers Ave, and they would like input from the Council on if the intersection of Business Highway 2 and 2<sup>nd</sup> Ave NE. He stated they are looking at making updates in 2023, they would like to determine what the Council would support, and that this project is separate from the Highway 220 Corridor project.

Ms. Rognerud-Adams informed the Council the light system had been installed in the early 1990s, it had a 30 year life span, and is coming up for replacement. She explained they are required to perform an intersection control evaluation in this process, they have already ruled out installing roundabouts in the downtown area, a roundabout could be considered for this intersection, but if there is no local support for that they will move forward with replacing the signals. Mr. Emery said there have been many concerns with the installation of roundabouts along the Highway 220 corridor, how if a quiet zone is implemented they will need to address the timing so no cars are caught on the tracks, and how there is a possibility of a jurisdictional change which has not been brought before the City Council yet. Mr. Upgren said the jurisdictional change is being considered for 2020 or 2021. Council President Olstad asked if they would still be paying for these upgrades in 2023. Mr. Upgren said they would but it would be a one-time payment.

Council member DeMers asked if there was a local share involved with this project. Ms. Rognerud-Adams said if there were any local legs, there are local costs associated with this intersection. Council member DeMers commented he knows roundabouts do work, they will need to consider the truck traffic that goes through this area, and stacking may become an issue. He added that if the roundabout gets pushed to the south it could create more of an issue with stacking and how the Council should consider getting under or over the tracks because it will be a disservice if they don't. He stated the City of Thief River has been installing roundabouts through areas where they are hauling houses around them and he would hate to think East Grand Forks would be less progressive than other communities. He added they would need to address how this would affect stacking.

Mayor Gander asked if a study was done for signals if they could include left turning arrows at this intersection. Ms. Rognerud-Adams said they would do a study and can see if it arrows are warranted and more than likely they will add the flashing yellow arrows. Council member Helms said he has a concern about the closeness this would be to the railroad tracks. He stated he does believe in roundabouts but they need to be in the right place to work and that he would be happy to stay with the lights.

Council President Olstad asked what properties would be affected by a roundabout. Mr. Upgren said right-of-way would be needed, a roundabout would be shifted to the south, and there would need to be acquisitions of property on both the north and south side so it has its challenges. Council member Riopelle asked if it would be a single or double roundabout. Ms. Rognerud-Adams said they are in the preliminary stages but they think it would be a single lane roundabout. Council Vice-President Grassel commented he could see a roundabout pushing traffic to the other crossings because people are not going to want to use it.

Ms. Ellis told the Council property is going to be very limited, her biggest concern would be the stacking, there seem to be more trains and longer trains all of the time, right-of-way would need to be purchased from the railroad, and a roundabout would be hard to fit in the limited space. She stated she was not against roundabouts but obtaining right-of-way could be challenging at this location with some maybe ending up as a taking. Council member Helms asked what the big difference was between roundabouts and stoplights. Mr. Upgren said it was for traffic flow and lower maintenance costs. Ms. Rognerud-Adams added that it was also for safety; roundabouts allow traffic to flow without many having to stop, they have lower maintenance costs over the years, and in the future, they might consider something other than a roundabout. She added that they wanted to ask the Council what they wanted to see at this intersection before getting to far in the process. Council member Johnson asked to have turning arrows added.

Council President Olstad asked if there were any other questions. Ms. Rognerud-Adams asked the Council if they wanted to move forward with a roundabout or not. She stated if it were a flat no then they would move forward with replacing the signals. Council member Vetter said he would be for a roundabout but he is worried about stacking so if they could solve the issues with stacking he would like to move forward with a roundabout. Ms. Rognerud-Adams said they would treat this like every other roundabout. Mr. Emery commented they would also need to determine how a quiet zone would be affected and how they would stop cars so they didn't end up on the tracks.

Mayor Gander asked if there would be room for safe pedestrian crossings. Mr. Upgren said they would need to look into it, pedestrian safety would be addressed in this process for sure, and it is good to get feedback from the Council. Ms. Ellis reminded the Council that anything that affects the local streets will be at the cost of the City and acquiring some of this property may make it unbuildable so again she was

concerned with the right-of-way that was needed which would require city funds. Mr. Upgren said if the right-of-way was purchased for the roundabout it could be covered by MNDOT.

Ms. Rognerud-Adams asked what the Council would like them to look into. Council member Helms said he would like signals with the addition of arrows. Council member Vetter said he would like to look into a roundabout. Council Vice-President Grassel said he would like signals. Council member Johnson said he would prefer signals with arrows. Council member Riopelle also said he would like to see signals. Mayor Gander added he would also like to see signals. Council member DeMers said if MNDOT was going to studying alternatives he would like them to look at a roundabout. Council President Olstad said they could look into a roundabout but there will be issues with acquiring property for the right-of-way and it sounded like a majority of the Council preferred moving forward with signal replacement. Mr. Upgren thanked the Council for their feedback and told them to call with any questions.

## **2. Discussion on Special Assessment Policy – David Murphy**

Mr. Murphy stated this item had been brought forward before; staff had been given direction to review policies of other cities, determine what streets needed to be reconstructed, calculate the cost of replacement, and find possible funding sources for these projects. He told the Council three areas have been identified as needing to be reconstructed which include 11<sup>th</sup> Ave NE from Highway 2 to 10<sup>th</sup> St NE, 20<sup>th</sup> St NW from 5<sup>th</sup> Ave NW to 8<sup>th</sup> Ave NW, and 5<sup>th</sup> Ave NW from 20<sup>th</sup> St NW to Garden Court. He added a cost analysis had been prepared by WSN showing the estimated costs of the project; the different possible percentages to assess, and what the City's responsibility would be at the different percentages. He explained the State of Minnesota does not allow street districts as an option to pay for projects like this so the amount would be spread across the City as a whole. He said they could set up a fund like the capital improvement fund and put funds into every year, they could borrow against the fund balance, or they could wait and bond for a project every seven to 10 years. He told the Council it was his recommendation to bond for a project at the time of the project and levy the City as a whole to pay the debt service on the bond. He said they would need to set an assessment amount that is feasible, wait for people to appeal, or if the project is done and people object the City would have to cover any of the remaining costs. He commented they were unable to come up with another funding source.

Mayor Gander asked if the recommendation included what percentage to set the assessment at. Mr. Murphy suggested 30% because they are more likely to defend that in an appraisal. Mr. Emery said they had received and reviewed different policies that ranged from 30% up to 50% for assessments, there were some cities that had a flat rate, and how a flat rate might help when people start comparing projects from different areas but they Council would need to agree upon an assessable footage rate. Mr. Murphy reminded the Council this was only for the reconstruction of streets, not for newly constructed developments. Council President Olstad asked if they knew what to expect in the next 10 to 20 years based on the ICON pavement management system, if they had an idea of what would be needed each year, or if this would be on a case by case basis. Mr. Murphy stated the asphalt streets receive the maintenance of the mill and overlay along with the seal coat and it is possible that sewer lines will need to be replaced during the reconstruction of the street. He added that concrete streets are more difficult to estimate when they will need to be replaced but it was easier to estimate with asphalt streets.

Mr. Emery stated the City had just gotten done with a three year project of the seal coat and mill and overlay of the streets so it would be 10 years before something was needed on these streets unless something changes. Mr. Murphy commented that most of the cement streets seem to be holding up. Mr. Stordahl stated there was nothing else like areas on 11<sup>th</sup> Ave NE and 20<sup>th</sup> St NW in town that need

replacement. Mr. Murphy added how when there is an issue with the concrete streets most of the time a panel or two are replaced with the \$250,000 set aside for that each year. Council President Olstad said he was glad they were looking at this, how there is a continuous cycle, how hopefully they can have constant numbers for each year and set a plan for the next 40 to 50 years. Mr. Murphy said he would recommend continuing to explore, consider what the levy would need to be set at, figure out what would be needed in 10 years, and set it so once one bond rolls off the next one would come on. Council President Olstad stated then they would be able to stay at a constant number for the budget. Mr. Murphy said they would be able to pick the projects that could be done within the amount budgeted. Council Vice-President asked if this was to the back or the front of the curb. Mr. Emery said it would be from right-of-way to right-of-way which would depend on the street.

Mayor Gander asked about utilities and if there were any funds that might help offset those costs. He commented that it was fair to discuss, there are utilities that run in front of homes, and there are requirements that the assessment done show an increase to the property. He said there are families paying for new subdivisions paying special assessments, residents have questioned why they should have to pay for other's special assessments, and that is one of the reasons a change in policy hasn't moved forward. He stated there was a delicate balance, they are trying to make it fair to all of the groups, the Council will be working through this, and in the process be mindful of the constituents.

Mr. Murphy told the Council it was more common to charge fees for the replacement of utilities so if utilities were to be replaced those costs would not be assessed. He stated that new construction is different in the City with the costs being assessed to the property owners. He explained that if the infrastructure was installed by the developer they could negotiate with the contractor and there was a possibility of saving up to 30% of the costs compared to the City having to go through the bidding process and not have the ability to negotiate any of the costs. Council member Helms asked why they didn't review the policies from communities in the area. Mr. Murphy stated he had specifically asked for these policies because they had held up in court. Council member Helms said he would like the Council to continue working through this, there are going to be upset residents, and a lot of people have paid their fair share of street maintenance. He commented that the people living along 20<sup>th</sup> have waited to see if the City would help pay for the street replacement, and they might have a full council chamber if this is brought forward. Mr. Murphy said he was not expecting the Council to reach an answer at this time, they can take time to consider, and he didn't want to complicate this issue any further. He added that currently people living along state-aid streets only pay 30% of the street maintenance so there is an unfairness in this circumstance but the City cannot keep switching what roads are considered to be state-aid streets.

Council member DeMers said he was glad this was being discussed again, this is more of a political problem, they will need to listen, and get buy in from the community to move forward. He added this would need to be decided soon because the roads will deteriorate creating major repair costs. He commented how a 10-year window may not be big enough and how they should consider the life of the system. He stated how concrete is not as predictable as asphalt streets, they would need to get buy in from each resident, and the amount will only get bigger as costs continue to increase. He stated they would need to determine what is needed, have a schedule of when projects will be done, and save or have a special levy to pay for these projects. He added people might say they have paid or are paying for their streets but they would need to consider the streets as a network and all parts of it need to work. He commented it will be a tough sell but they will need to make it work. Discussion followed about how residents on state-aid roads are only assessed 30% of the cost and the 70% remainder comes from the State and not out of the City budget. Council member Vetter said they need to remember it comes back to the special benefits test, if the test has been done they need to hold all of the hearings prior to starting the project

so they will know if there are any objections and if they receive 100% buy in then they can move forward with the project. Council member DeMers stated one person to stop a project and asked what would happen with the frontage roads. He continued saying they need to set up a plan and complete the work in a timely basis or more property owners may want to stop the process.

Mr. Galstad stated he appreciates this conversation, he had been city attorney for 17 years, and the Council has had the same conversation for the last 17 years. He added that what it comes down to is how the City would have to pay for projects and to get buy in from the community. He stated that they will need to make a new policy and it will not be easy. Council member Vetter commented that he had no problem with letting the neighbors deciding if the road needs to be fixed or not, they will be the ones having to drive on the road, and by now it will more than likely meet the special benefits test. Council member Johnson stated the homes along 20<sup>th</sup> have been bought and sold many times and this road has been in tough shape for the last 30 years. Council member DeMers said the Council should try to hold our streets to a higher standard instead of having the lowest common denominator. Council President Olstad asked what staff was looking for. Mr. Murphy said this was going to be brought back to a future work session with more information about neighboring communities for further discussion. Mayor Gander asked to have then include the Grand Forks special assessment policy.

This item will be brought back to a future work session for further discussion.

### **3. Review of Proposed UTV Ordinance – Ron Galstad**

Mr. Galstad stated he took the direction from the Council, reviewed the information from Grand Forks, and informed the Council that blinkers are not required by the State. He explained this ordinance was for UTVs, he would be updating the ATV ordinance by making it clearer it was just for commercial use, and there would be exemptions for City vehicles. He stated the special use vehicle ordinance would still be in place which would deal with golf carts that have been modified and how there have been very few requests for this. He added he had been asked to review what roads UTVs would be allowed to drive on allowing more access to and from Grand Forks. Discussion followed about the restrictions being removed for the Grand Forks streets, that some of these restrictions are from the State of Minnesota, to request and see if the State would allow UTVs across the Sorlie Bridge instead of having all UTV traffic cross the Point Bridge.

Mayor Gander asked about the recommendations for ATVs. Mr. Galstad stated the ordinance was going to be updated it was clear that ATVs were allowed for commercial use only other than for personal use at someone's property. Council member DeMers asked about the costs associated with this. Mr. Murphy said staff hadn't taken a formal look into this and how costs would more than likely be minimal because very few applications had come in before. Council member DeMers asked if this would require additional training. Lieutenant Hajicek said it shouldn't. More discussion followed about insurance and if someone were not able to acquire insurance, they would be able to use the State group so more than likely they won't be able to require a higher amount of insurance than what the State allows. Council President Olstad asked to make signals a requirement and check to see if UTVs might be allowed on Demers Ave. He also asked for a map to be prepared to help everyone visualize the routes that are allowed. Council member Helms stated he agreed with President Olstad on what is being asked for, he is glad the amount of information in the ordinance was cut down, how things still need to be clarified, and added things are looking good.

This item will be referred to a future work session for further discussion.

#### **4. Consider Approving the Hire of Parks and Recreation Specialist – Reid Huttunen**

Mr. Huttunen told the Council the hiring process was completed, there had been 19 applicants, four had been passed on by the Civil Service, and staff interviewed the four finalists for the Park and Recreation Specialist position. He stated the hiring is contingent upon the approval of the Council and if approved Ms. Katie Boespflug would start on May 8<sup>th</sup>. Council Vice-President Grassel asked if she would need to resign from the Park and Recreation Board. Mr. Huttunen said she would. Council member Helms said this position was starting at a grade 10 step one and asked how the grading system worked. Mr. Murphy said the lowest grade the City has is a grade 9 and step one is the lowest step. Mr. Huttunen reminded the Council that this position had been pointed by David Drown Associates.

This item will be referred to a City Council Meeting for action.

Mr. Murphy reminded everyone the next Tuesday was the 5<sup>th</sup> Tuesday of the month and there was no meeting.

Mayor Gander also reminded everyone about the State of the City that would be taking place the following day at the Civic Center over the lunch hour.

#### **ADJOURN:**

**A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER RIOPELLE, TO ADJOURN THE APRIL 23, 2019 COUNCIL WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 6:20 P.M.**

*Voting Aye: DeMers, Vetter, Helms, Riopelle, Johnson, Olstad, and Grassel.*

*Voting Nay: None.*

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David Murphy, City Administrator/Clerk-Treasurer