

**APPROVED MINUTES
OF THE CITY
COUNCIL WORK SESSION
CITY OF EAST GRAND FORKS
TUESDAY, JANUARY 28, 2020 – 5:00 PM**

CALL TO ORDER:

The Work Session of the East Grand Forks City Council for January 28, 2020 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; 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; 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 Rural Fire Contract – Gary Larson

Chief Larson stated this was an extension to the original agreement with the townships and it includes a 2% increase each year over the five-year period. He explained they were working through the inventory because some of it belongs to the townships, the DNR, and the City so they came up with new lists of inventory to include with this agreement. He added how if a truck is returned it will be returned with what is listed as inventory and how they would notify the townships about any grants or purchases because it could affect their inventory. He said when they apply for grants the Fire Department uses the city and the township property. He stated this was the best way to correct the inventory and asked for questions.

Mr. John Jeffrey from Huntsville Township introduced himself and Mr. Greg Stocker with Grand Forks Township. He said this was a good example of government entities working together, they are able to use a large service area when applying for grants, and the first responder service has become an important aspect because of the increase in medical calls. He commented that it would be too difficult for the townships to try to have their own volunteer fire department so this is an asset for the City and a benefit for the townships. He added they think this is a fair deal and they are happy with the agreement. Mayor Gander stated he had been a part of some meetings, some of the paid on-call fire fighters come from the townships, and that is another great connection. Discussion followed about this will be voted on the following week and the townships will look at this in February.

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

2. Request for Direction on Parcel 83.04249.00 – Megan Nelson

Ms. Nelson said the Administration office had been contacted by someone interested in purchasing the lot, they are wondering if the Council would be willing to negotiate on the special assessments, and if so their opening offer would be to pay \$25,000 in special assessments. She reviewed how the principal balance of specials was currently \$51,605, no payments have been received since 2012, and if payments had been received the remaining specials amount was just under \$35,000. She added the lot itself was owned by the County and had a sale price of \$10,000.

Mr. Murphy recommended the Council only decide if they are willing to negotiate and wait to determine what they would be willing to do until a closed session. Mayor Gander said one rationale to negotiate is because the life of the assessments have shortened because the infrastructure has been there for some time. Discussion followed about the location of the lot, what the easements were on the lot, how the lot was irregular but still buildable, and how it could not be split. Council member Riopelle said this had come before the EDA Board years ago, splitting the lot was not possible, and they voted not to reduce the specials. Council member Vetter asked what kind of incentives would be available if they built a house. Ms. Nelson said they would be eligible for the two-year tax abatement and the landscape incentive. Discussion followed about how the Council was in favor of negotiating. Mr. Murphy said they would get something scheduled.

3. Discussion on Possible Ordinance – Tim Johnson

Council member Johnson stated a resident in his ward had an issue with his neighbor. He explained the neighbor was blowing snow onto his property and on his house so he contacted the police department who said nothing could be done because there was not an ordinance that prohibits this. He said the resident would like the Council to do something for him for not only snow but also for sump pump water, garbage, leaves, and items like that. Mr. Galstad said there are many things not controlled by an ordinance and the City as a municipality is not the keeper of the peace. He stated this could be resolved with a trespass because as soon as the City tries to criminalize these types of actions he does not know where it would stop or how it would be policed. He added there are ordinances against putting snow on the city property or streets but it would be too difficult between two neighbors. Council member Johnson said he told the resident he would bring it forward. Mr. Galstad said they would have a difficult time policing the issues every time someone feels they were wronged by their neighbor.

Mr. Murphy said this comes up every winter, some disputes get heated, and he is not aware of any ordinances in the State that prohibits the blowing of snow on to someone else's property. He commented these issues usually come when the houses and driveways are closer together, he gets several calls each year on this, and these calls can be referred to him if received by council members. He added if there is damage, the property owner can sue but this is not a criminal act the police can arrest someone for. He said it was a civil matter, not a criminal matter. Discussion followed regarding that snow cannot be put on city property, if that included easements, and how the City controls the right-of-way. Mr. Murphy said the ordinance is for drivable portion of the street because the City clears the streets from curb to curb and they do not address the entire right-of-way. More discussion followed about how this is a civil matter, how some of these issues could fall under a civil trespass, and be addressed by the court.

Mayor Gander said he and Council member Helms met with a couple at their home who was worried about what might happen to their property and basement when a large pile of snow close to their property line started to melt. He asked if a property owner had snow on their own property, which melted and

created issues would there be any legal recourse. Mr. Galstad said they might against the neighbor but it was factually driven and depended upon what happened. Mayor Gander suggested these things be resolved as neighbors in a way that everyone can agree with. He then asked if down spouts are supposed to be directed to the front and back of the lot instead of toward the side lot line. Ms. Ellis said typically that is the case and she has asked residents to turn them from the side lot line. She added this one reason for setbacks and easements to allow water to collect so if there is not a lot of room between properties she will ask the property owner to turn them. Mr. Stordahl said that residents have been receptive when they have asked to move their sump pump hose and how this has helped improve conditions in the alleys. He added there should be some common sense with the snow removal, there is stuff in the ordinance about the city right-of-way, there are issues when the snow is pushed across the street, and they do enforce right-of way when it is around stop signs or create line of sight issues.

OTHER:

Council member Helms informed everyone this would be his last meeting until March.

Council President Olstad reminded everyone that the open house for Chief Larson was going to be from 1pm to 3pm at Fire House 1.

ADJOURN:

A MOTION WAS MADE BY COUNCIL MEMBER GRASSEL, SECONDED BY COUNCIL MEMBER JOHNSON, TO ADJOURN THE JANUARY 28, 2020 WORK SESSION OF THE EAST GRAND FORKS, MINNESOTA CITY COUNCIL AT 5:28 P.M.

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

Voting Nay: None.

David Murphy, City Administrator/Clerk-Treasurer