

PROPOSED MINUTES OF THE CROOKSTON CITY COUNCIL, POLK COUNTY, MINNESOTA. THE SECOND REGULAR MEETING OF MAY 23, 2006, COUNCIL CHAMBERS, CITY HALL.

Mayor Don Osborne 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, Keith Mykleseth, Harry Manole, Tom Vedbraaten, Dave Genereux and Frank Lindgren.

Council Member absent was: Wayne Melbye.

Staff present were: Mike MacDonald, Chad Palm, Scott Kleven, Tim Motherway, Gene Wisness, Pat Kelly, Bob Magsam, Aaron Parrish, and Betty Arvidson.

**CROOKSTON FORUM**

There was no one present to address the Council.

**APPROVAL OF AGENDA**

Arvidson asked that item No. 6.08 – Approve variance to Trent Stahlecker to allow an increase in height of an accessory structure at 618 2<sup>nd</sup> Ave NE - be added to the Consent Agenda.

On motion by Council Member Vedbraaten, seconded by Council Member Genereux and duly carried that the Agenda be approved as amended.

**CONSENT AGENDA**

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

6.01 City Council Minutes of May 9, 2006.

6.02 Resolution to approve City of Crookston bills and disbursements in the amount of \$331,802.99, Check Nos. 28905 through 29001. (Res. No. 24358)

6.03 Resolution accepting bid and awarding contract for the TH2 Multi-Use Trail. . (Res. No. 24359)

6.04 Resoluion establishing the Ice Arena Complex Advisory Committee. . (Res. No. 24360)

6.05 Resolution entering into an agreement with the Winter Shows Board for the purpose of performing an evaluation of the Winter Shows building. . (Res. No. 24361)

6.06 Resolution entering into an agreement with Widseth Smith Nolting and Associates, Inc. to conduct an Ice Arena Feasibility Study. . (Res. No. 24362)

6.07 Resolution entering int an agreement with Independent School District No. 593 for the City’s use of the pool. . (Res. No. 24363)

6.08 Resolution to approve variance to Trent Stahlecker to allow an increase in height of an accessory structure at 618 2nd Ave NE. . (Res. No. 24364)

**PUBLIC HEARING**

Mayor Osborne opened the public hearing to review and raise water rates for water connection surcharge assessed by Minnesota Department of Health. He stated there are several public hearings this evening and anyone wishing to speak at any of them need to come to the podium and state their name and address. Mayor Osborne asked Public Works Director Pat Kelly to explain the difference between the \$6.36 imposed by the State and the \$7.00 we are proposing to charge. Kelly stated the State is assessing \$6.36 per connection for lead/copper testing. This fee was implemented back in 1992. The city incurs costs with this State fee and the additional fee helps defray out costs. Council Member Mykleseth asked what the fee was before. Kelly stated that he wasn’t sure what the fee was but the difference is less that it was before. Mayor Osborne asked if anyone else wished to be heard and upon hearing none closed the public hearing.

Mayor Osborne opened the public hearing on the Tax Increment Financing (Housing) District No. 3-8. Arvidson stated that we are requesting to set up a TIF District for housing. The proposed district would include 12 lots that are remaining in Eickhof’s 3<sup>rd</sup> Resubdivision and 7 lots between Barrette Street and St. John’s Drive. With the increment generated from the district the City is planning to offer an additional incentive for those lots in the form of a mortgage buydown. The incentive would be up to \$20,000 in the Eickhof’s 3<sup>rd</sup> Resubdivision and up to \$15,000 for the lots along Barrette Street. Within the TIF district there are income guidelines that need to be met as stated in the development plan. The guidelines for a family of 3 or more is less than or equal to \$78,430 and a family of 1-2 would be less than or equal to \$68,200.

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

Mayor Osborne opened the public hearing on the Tax Increment Financing (Development) District 3-9. Parrish stated this is a request to create a TIF district for the Crookston Economic Development Authority (CDA). The project is to allow for the extension of infrastructure to service the AGSCO expansion. They are likely to start construction in 2007. We would create the district now and certify it somewhere down the line more approximate to the time frame that they begin their project. The infrastructure would involve water and sewer extensions in the industrial park adjacent to the former Crookston Ag Service. The financing for the project would be an internal loan that would be provided by the CDA that would pay to do the infrastructure work and allow for AGSCO's expansion. Council Member Mykleseth stated that he did not recall this item going through a committee. He asked what committee it would go through. Parrish stated that this was initiated by the CDA. The City approves and administers the district but the CDA is the one that is recommending to create this district.

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

Mayor Osborne opened the public hearing on the 2006 Street Improvements (North Main Street from Eighth Street to 'A' Street (parcel #82.00212.00). Gene Wisness, ???address????(he is a police officer therefore we should not put his address in the minutes), stated that he and his wife have a number of questions. He asked if we knew what the duration of the project would be, start date, end date. Kelly stated they planned to start the water after the holiday. He stated the construction bids haven't been awarded yet. Rich Clauson, WSN, stated they should be starting by mid June. Wisness asked if this street would be broken up the same way as some of the larger projects have, by roller. Clauson stated "no". Wisness asked if there would be any impact on other city services during the construction such as Fire services, garbage collection, mosquito spraying. Clauson stated "no". Wisness asked if they would receive advanced notice to any street closing. Clauson stated "yes". Wisness asked if they knew when the project would be done. Clauson stated that they should get started mid June and it should take about 6 weeks. Wisness asked if this would be like several other projects have been done where there is one layer of asphalt this year and the second layer a year later. Clauson stated "yes".

Wisness stated that he has further questions regarding the sidewalk. He said that he just finished paying, in 2005, a \$960 assessment for a new sidewalk. It is his understanding that this new sidewalk is going to be torn out and replaced with new sidewalk as part of this project. Wisness stated that he would like some credit on the \$960 he just finished paying. He said he didn't know what the life expectancy of a sidewalk was but felt it had to be more than 9 years as his sidewalk is only 9 years old. He stated that everyone along this project is getting new sidewalk without having to pay anything additional for it. He stated that he has two other neighbors that are in the same situation that he is. Mayor Osborne asked if we have had a situation like this in the past and if so what happened. Kelly stated that we have and the property owner has been assessed the full state aid rate as this has mostly happened on state aid streets. Council Member Mykleseth asked how far out do we project future projects. Kelly stated that the council recently approved a three-year Street Improvement Plan. Mykleseth asked if we have ever granted a credit to a homeowner with this situation. Kelly stated that no we have not. Mykleseth asked what percent do we pick up on state aid projects. Kelly stated that we assess \$35/front foot and a typical project runs \$80-90 a front foot.

Council Member Mjoen asked if it would be appropriate for this to go back to the Street Committee for further discussion and consideration.

Kelly stated that he feels Wisness just wants to be on the record for the council to be aware of this issue. Kelly stated that this is a project hearing to determine whether to proceed with the project or not. Once the project is complete then we hold an assessment hearing which addresses how the project is assessed. If the Council wishes to reconsider our assessment policy then they need to meet to discuss it prior to assessing a project. Wisness said it would be nice to know what the property owners are expected to pay before the work is done. Kelly stated there is an estimate on the notices that were sent to the affected property owners. He said the Council has the authority to assess what ever they would like. Mjoen stated that she was referring to Wisness' question regarding a credit for his sidewalk. Mjoen asked Wisness if that is what is in question. Wisness stated that is what he is suggesting. He feels that he has already paid for a sidewalk that is in perfectly good condition and is going to be torn out and replaced by new sidewalk. He had spoken to Kelly and Parrish last week about this and was disturbed by the fact that if the sidewalk fell apart say three years from now that he could be assessed again for it. He is concerned with how many times a person has to pay for the same sidewalk on the same property.

Jean Pearson, Gene Wisness' wife, stated that she does a lot of walking around town and she remembers back when sidewalks were starting to be replaced. A lot of the sidewalks that were in poor shape and needed to be replaced back then are still in poor shape. She stated that their sidewalk is in excellent shape and that their mailman could attest to that. There is nothing wrong with their sidewalk and to take it out and replace it with a new sidewalk and to have to pay for it again doesn't seem right. Kelly stated that there is a total cost for the project and sidewalks are a part of the project and on a state aid project property owners are assessed \$35/front foot whether there is sidewalk put in or not. The proposed assessment isn't for the sidewalk but for the entire project. Pearson asked if a part of the assessment is for sidewalk, could it be broken down? Kelly stated that the amount that gets assessed on

a state aid project doesn't even cover the cost of the street. Pearson asked if the people down the street that have a sidewalk in need of replacing are basically getting the project replaced for free. Mykleseth stated that theoretically if you hadn't replaced your sidewalk you would be getting it replaced for free too. Mykleseth asked what is fair and how far ahead we should be planning our projects so situations like this don't happen. Wisness stated that maybe it isn't looking ahead so much but looking back and considering some kind of credit to jobs that have been recently done. Mykleseth suggested we discuss this at a future Street/Utility Committee meeting. Council Member Vedbraaten asked if this would slow up the project at all. He agreed that Wisness' sidewalk is in perfect shape where the sidewalk at 815 North Main was also replaced a few years ago but is now all busted up. He would hate to see a good sidewalk tore up and replaced and then fall apart a few years later. It can happen. Vedbraaten asked if their sidewalk is the same width as the new one being put in why can't you leave it and put the new sidewalk up to it. Mykleseth stated that trying to piece a sidewalk can end up costing more than just redoing the entire sidewalk. It can also be difficult to match up. Wisness stated the issue isn't whether that particular piece of concrete is left in place or not it is what a property owner is suppose to pay and how many times. Regardless if the sidewalk is included in a state aid project or not it is not "free". Someone is paying for it. Mayor Osborn stated that this will be put on a future Street Committee agenda and Wisness will be notified of that meeting. Mayor Osborne 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 Genereux, seconded by Council Member Lindgren and duly carried:  
Resolution to approve rate for water connection surcharge assessed by Minnesota Department of Health. (RES. No. 24365)

8.02 On Motion by Council Member Vedbraaten, seconded by Council Member Mjoen and duly carried:  
Resolution establishing Tax Increment Financing (Housing) District No. 3-8 and adopting the Tax Increment Financing Plan related thereto. (RES. No. 24366)

8.03 On Motion by Council Member Bunes, seconded by Council Member Vedbraaten and duly carried:  
Resolution establishing Tax Increment Financing (Development) District No. 3-9 and adopting the Tax Increment Financing Plan related thereto. (RES. No. 24367)

## **REPORTS AND STAFF RECOMMENDATIONS**

Frank Lindgren, Council Member-at-Large	-	No report.
Craig Bunes, Council Member 1 <sup>st</sup> Ward	-	No report.
Marlys Mjoen, Council Member 2 <sup>nd</sup> Ward	-	No report.

Keith Mykleseth, Council Member 3<sup>rd</sup> Ward, commented that as he walks around town he looks at the streets he sees patches and things that are not done. He hopes that this years projects get started and are finished in a timely manner and that we pay attention to details and get the best product with can with the least amount of inconvenience to the citizens.

Harry Manole, Council Member 5 <sup>th</sup> Ward	-	No report.
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Tom Vedbraaten, Council Member 6<sup>th</sup> Ward stated he has noticed the street crews out recently filling potholes and painting lines.

Dave Genereux, Council Member-at-Large	-	No report.
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Bob Magsam, fire department, stated there has been progress on the carport being built at the fire hall as all of the steel is up now.

Scott Kleven, Park & Recreation Director, reported that the DNR was in town yesterday and cleaned out the two boat ramps. He stated that Central Park is not open. Otter Tail Power has been down to remove the debris and is working on an estimate on restoring power to the park.

On Motion by Council Member Genereux, seconded by Council Member Manole and duly carried that there being no further business to come before the City Council that said meeting be adjourned.

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Donald A. Osborne, Mayor

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Betty Arvidson, City Clerk-Treasurer

