

CITY OF ELKO NEW MARKET  
SCOTT COUNTY, MINNESOTA  
CITY COUNCIL MEETING  
601 MAIN STREET  
ELKO NEW MARKET, MINNESOTA 55054  
THURSDAY, JULY 28, 2016

1. CALL TO ORDER

The meeting was called to order by Mayor Crawford at 7:30 p.m.

Members Present: Mayor Crawford, Councilmembers: Berg, Julius, Timmerman and Timmons

Members Absent: None

Also Present: City Administrator Terry, Police Chief Mortenson, City Attorney Poehler, City Engineer Revering and City Clerk Green

2. PLEDGE OF ALLEGIANCE

Mayor Crawford led the Council and audience in the Pledge of Allegiance.

3. ADOPT/APPROVE AGENDA

**MOTION** by Councilmember Berg, second by Councilmember Timmons to approve the revised agenda.

4a Add – Presentation to Elko New Market Police Department

**APIF, MOTION CARRIED**

4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS

None

5. PUBLIC COMMENT

Kathy Hanson, 321 St. Joseph Street addressed the Council regarding the traffic and noise associated with the recent Doublewide outdoor event on July 16, 2016. Ms. Hanson further stated that noise and traffic are on-going issues with the Doublewide. Police Chief Mortenson informed the Council he will look into these alleged incidents.

Kai Le introduced himself to the City Council as the new owner of 35 acres located on Dakota Avenue.

6. CONSENT AGENDA

**MOTION** by Councilmember Timmons second by Councilmember Timmerman to approve the Consent Agenda as revised.

- a. Approve Minutes from July 14, 2016 City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Approve Job Description and Hire of Accountant Position
- d. Adopt Resolution 16-47 Amending 2015 Budget
- e. Approve Letter of Understanding and Escrow Agreement with Avant Private Communities, LLC – **moved to General Business 8c.**

**APIF, MOTION CARRIED**

7. PUBLIC HEARINGS

None

8. GENERAL BUSINESS

City Code (Zoning Ordinance Amendment – Temporary Family Health Care Dwellings

Administrator Terry and the Council held a discussion regarding the public hearing held at the July 7, 2016 Planning Commission Meeting to consider a City Code (Zoning Ordinance) amendment to Title 11 (Zoning) of the Elko New Market City Code related to temporary family health care dwellings.

**MOTION** by Councilmember Timmons , second by Councilmember Berg to adopt Ordinance No. 136 An Amendment to Title 11 of the City Code (Zoning Regulations) Opting-Out of the Requirements of Minnesota Statutes, Section 462.3593 Related to Temporary Family Health Care Dwellings. **APIF, MOTION CARRIED**

2015 Audit

Matt Mayer of BerganKDV, the City's auditor, gave the City Council a presentation on the 2015 Audit Financial Statements.

**MOTION** by Councilmember Timmons , second by Councilmember Timmerman to approve Resolution 16-48 Adopting Independent Auditors' Report for the City of Elko New Market.

**APIF, MOTION CARRIED**

Approve Letter of Understanding and Escrow Agreement with Avant Private Communities, LLC

The City entered into a Letter of Understanding in January 2016 whereby the City would agree to work solely with Avant on the sale of city-owned lots in Dakota Acres. This Letter of Understanding expired on April 29 but was extended until May 29, 2016.

Avant requested the City Council approve a Letter of Understanding restricting the City to work solely with Avant on negotiations for acquisition of the Property until November 30, 2016.

Avant also has agreed to enter into an Escrow Agreement that will ensure reimbursement to the City for all out-of-pocket costs the City will incur as part of the City review process.

**MOTION** by Councilmember Timmons, second by Councilmember Timmerman to approve the Letter of Understanding and Escrow Agreement with Avant Private Communities. Ayes: Mayor Crawford, Councilmembers Berg, Timmons and Timmerman. Abstain: Councilmember Julius due to a conflict of interest. **MOTION CARRIED**

9. REPORTS

a. ADMINISTRATION

Update on 2017 Draft Budget

At the July 14<sup>th</sup> Council Work Session, Council provided direction on goals and priorities, factors impacting 2017 Budget and direction on the maximum tax impact assumption Staff was to use in preparing the draft budget. Administrator Terry provided the City Council with an update on the preparation of the draft budget and asked for additional Council feedback regarding the budget. Council direction to assume no budgeted transfer to the Economic Development Fund from the General Fund in preparation of draft budget.

- b. PUBLIC WORKS  
None
- c. POLICE DEPARTMENT  
Written report included in Council Packet.
- d. FIRE DEPARTMENT  
None
- e. ENGINEERING  
None
- f. COMMUNITY DEVELOPMENT  
None
- g. PARKS DEPARTMENT  
Written Parks Department Minutes included in the Council Packet.
- h. OTHER COMMITTEE AND BOARD REPORTS
  - i. SCALE  
None
  - ii. MVTA  
None
  - iii. I35 SOLUTIONS ALLIANCE  
None
  - iv. CHAMBER OF COMMERCE  
None
  - v. Community & Civic Events Committee (CCEC)  
None
  - vi. 50 By 30 Collective Impact Project
    - 1. Steering Committee – Councilmember Berg updated the Council that various other workgroups attended the last Steering Committee.
    - 2. Transportation Committee - None
    - 3. Housing Committee - None
    - 4. Work Force Committee - None

10. DISCUSSION BY COUNCIL

League of Minnesota Cities and Metro Cities Policy Review

Councilmember Berg asked for Council approval for him to represent the City of Elko New Market on the League of Minnesota Policy LE-13. Council agreed that Councilmember Berg could represent the City at this policy meeting.

11. ADJOURNMENT

**MOTION** by Councilmember Julius, second by Councilmember Timmerman to adjourn the meeting at 9:25 p.m. **APIF, MOTION CARRIED**