

City Administrator/Clerk Terry announced the meeting protocol for participating in the City Council meetings virtually (online) using the Zoom virtual meeting application.

**1) CALL TO ORDER**

The meeting was called to order by Acting Mayor Novak at 6:00 p.m.

Members Present: Acting Mayor Novak, Councilmembers: Timmerman, Berg and Schuenke

Members Absent: Mayor Julius

Also Present: City Administrator/Clerk Terry, Police Chief Juell, Senior Planner Christianson, City Attorney Poehler, City Engineer Revering, Deputy Clerk Jirak, Steve Hotaling, Sergeant Bell, Officer Gareis, Officer Carkuff, Scott County Commissioner Wolf, James and Ellana Irwin, Sharron Irwin, Melissa Irsin, Janelle Juznia, Veda Kanitz, Larry Schofield, Gilbert & Julia Novotny, Ali Klement, Melissa Lenhardt, Jodi Lucast, Cindy Ketchum, Jonathan Carlson, Jamie Carlson and Patrick Fischer,

**2) PLEDGE OF ALLEGIANCE**

Acting Mayor Novak led the Council and audience in the Pledge of Allegiance.

**3) ADOPT/APPROVE AGENDA**

City Administrator/Clerk Terry advised the Council of a revised agenda deleting December 15, 2023 and December 20, 2023 City Council Minutes from the agenda.

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

**APIF, MOTION CARRIED**

**4) OATH OF OFFICE**

City Administrator/Clerk Terry administered the Oath of Office to newly elected Councilmembers.

- a. Councilmember Berg
- b. Councilmember Timmerman

**5) PRESENTATION, PROCLAMATIONS AND ACKNOWLEDGEMENTS (PP&A)**

Recognize Officer Hotaling

Acting Mayor Novak provided a brief background on Officer Hotaling's accomplishments and presented Hotaling with a certificate of appreciation.

Oath and Badge Pinning – Officer Irwin

Acting Mayor Novak administered the Oath of Office to Officer Derrick Irwin. Police Chief Juell provided a brief background on Officer Irwin and Lauren Irwin administered the Pinning Ceremony for Officer Irwin.

## 6) PUBLIC COMMENT

Jonathan Carlson, 26126 Pillsbury Ave, approached the podium and asked follow up questions regarding intersection safety, noise pollution and whether the City will require Niagara to submit a Noise Impact Statement and progress on a Light Exposure Study. He continued to advise Council of his opposition to Niagara.

Senior Planner Christianson confirmed that discussions took place after the Public Hearings to monitor noise levels today and modeling of noise levels for the proposed Niagara Project. Christianson confirmed that a light plan has been submitted and will be expanded to monitor lighting beyond the parking lot.

Veda Konitz, 9830 247<sup>th</sup> Street E, Lakeville approached the podium and advised the Council about modeling completed in Scott County and how increased development affected normal pumping conditions in the aquifers and Vermillion River. Konitz requested a multi-aquifer test to be done.

Ali Klement, 26511 Xerxes Trail, approached the podium and inquired on clarifying zoning issues, the subsidies, results from DNR and the appeal process once the DNR does make their decision.

Christianson answered that all zoning applications and business subsidy applications have been tabled by Council until hearing back from the DNR. Christianson stated that she was not aware of the appeal process.

Jodi Lucast, 26501 Xerxes Trail, approached the podium to state she is still opposed to this project and in her research conducted, some companies she looked at do not look at other industries before building in certain areas. Lucast addressed traffic safety issues at I35/ Highway 2 interchange and Pillsbury Avenue. Lucast stated she would like to see a new traffic study completed.

Acting Mayor Novak mentioned that the City is looking to the public to help address the traffic issue with the bridge at I35/Highway 2 interchange. Novak continued that Council will be attending the upcoming I35 Solutions Alliance meeting held in February to voice concerns regarding safety at that interchange.

Lucast reapproached the podium to state that it is not just the interchange that needs to be addressed but also Pillsbury Avenue.

Novak provided additional ways to look for solutions to some of these issues.

Jami Carlson, Pillsbury Ave, approached the podium to address concerns regarding the former mayor.

City Administrator/Clerk Terry reminded Carlson of the protocol for Public Comment should be used for.

Carlson continued to address concerns with the traffic and requested a new traffic study be conducted. Carlson also inquired about the possibility of trees or a retaining wall built to help reduce the noise and light pollution.

## 7) ANNUAL ORGANIZATIONAL MATTERS

### City Council Appointments and Assignments

**MOTION** by Councilmember Timmerman, second by Councilmember Berg to adopt Resolution 23-01 designating Councilmember Schuenke as Acting Mayor for the City of Elko New Market.

**APIF, MOTION CARRIED.**

In approving 2023 organizational matters, the Council is required to appoint individuals to represent the City on various Boards and Committees. A summary of the individuals appointed to the Boards and Commissions follows:

a) Mayor Julius (primary) and all members of the City Council (alternate) as the representatives to SCALE (Scott County Association for Leadership and Efficiency). The Mayor as the representative to the SCALE Executive Committee with the City Administrator as the alternate.

b) City Administrator and Chief of Police as the alternate representative to SJPA (Scott Joint Prosecution Association)

c) City Administrator and Police Chief as the alternate representative for JRTF (Joint Regional Training Facility) Board.

d) Councilmember Schuenke as the representative to the I-35W Solutions Alliance. Councilmember Berg will be an alternate.

e) Councilmember Timmerman and City Administrator as representatives to the Fire Relief Board and Fire District Workgroup.

f) Councilmember Novak as representative to the Community and Civic Events Committee.

g) Councilmember Schuenke as the representative to the MVTA (Minnesota Valley Transit Authority) Board.

h) Councilmember Berg to serve as the City Council representative on the Administrative Appeals Board.

All other committee and board representatives to be appointed as needed.

**MOTION** by Councilmember Schuenke, second by Councilmember Timmerman to approve representatives as appointed by Council for committees and boards.

**APIF, MOTION CARRIED**

Designation of Official Newspaper

**MOTION** by Councilmember Berg, second by Councilmember Schuenke to approve Resolution 23-02 Designating The New Prague Times as Official Newspaper of the City of Elko New Market.  
**APIF, MOTION CARRIED**

Designation of Official Depositories

**MOTION** by Councilmember Schuenke, second by Councilmember Timmerman to approve Resolution 23-03 Approving New Market Bank and League of Minnesota Cities 4M Fund as the Official Depositories for the City of Elko New Market.  
**APIF, MOTION CARRIED**

**8) CONSENTAGENDA**

**MOTION** by Councilmember Timmerman, second by Councilmember Schuenke to approve the amended Consent Agenda.

- ~~a. Approve December 15, 2022 Minutes of the City Council Meeting~~
- ~~b. Approve December 20, 2022 Minutes of the Special City Council Meeting~~
- c. Approve Payment of Claims and Electronic Transfer of Funds
- d. Adopt Resolution 23-04 Accepting 2021 Donations
- e. Schedule of Fees
  - i. Adopt Ordinance No. 262 Adopting the Schedule of Fees for 2023
  - ii. Adopt Ordinance No. 263 A summary of Ordinance 262 Adopting the Schedule of Fees for 2023

**APIF, MOTION CARRIED**

**9) PUBLIC HEARINGS**

None.

**10) GENERAL BUSINESS**

None.

**11) REPORTS**

- a) Administration  
No report.
- b) Public Works  
December 2022 Monthly Public Works Report included in Council packet.
- c) Police Department  
December 2022 Monthly Police Department report included in Council packet.
- d) Engineering  
No report.

e) Community Development

Discussion and Direction Regarding Transient Merchant Licensing

Senior Planner Christianson provided a brief background regarding a possible amendment to the City Code which would allow for Mobile Service Units. Christianson explained what a Mobile Service Unit is and how it differed from a Transient Merchant. Christianson continued to explain the pros and cons for Mobile Service Units, how other local municipalities handle Mobile Service Units and the City Attorney's recommendation for Mobile Service Units. After Council discussion, direction from Council was to have Staff amend the City Code to permit Mobile Service Units.

f) Parks Department

December 2022 Monthly Parks & Recreation Updates included in Council packet.

g) Community & Civic Events Committee (CCEC)

No report.

h) Other Committee and Board Reports

i) Scott County Association for Leadership and Efficiency (SCALE)

No report.

1. Executive Committee

City Administrator/Clerk Terry updated Council on the Executive Committee meeting he attended.

2. Service Delivery Committee

No report.

ii) I35 Solutions Alliance

Councilmember Berg updated Council on the I35 Solutions Alliance meeting he attended and reminded Council to attend the February 9, 2023 I35 Solutions Alliance Meeting for the I-35/County Road 2 interchange.

## 12) DISCUSSION BY COUNCIL

Councilmember Berg inquired if the Technical Advisory Board of Met Council is a committee Councilmembers should be attending.

## 13) ADJOURNMENT

**MOTION** by Councilmember Schuenke, second by Councilmember Timmerman to adjourn the meeting at 7:01 p.m.

Respectfully submitted by

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Lynda Jirak, Deputy Clerk