

1) CALL TO ORDER

The meeting was called to order by Mayor Julius at 7:00 p.m.

Members Present: Mayor Julius, Councilmembers Berg, Timmerman, Novak and Styles

Members Absent: None

Also Present: City Administrator/Clerk Terry, Senior Planner Christianson via Zoom, Police Chief Juell, City Engineer Revering, City Accountant Stewart, City Attorney Poehler, Deputy Clerk Jirak, Scott County Commissioner Wolf, Jodi Lucast, Jodi Muelken, Chris Flegel, Brett Johnson, Gene Meger, Martin Seurer, Charles Friedges, Rhonda Kraska and Patrick Fischer

2) PLEDGE OF ALLEGIANCE

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

3) ADOPT/APPROVE AGENDA

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

APIF, MOTION CARRIED

4) PRESENTATION, PROCLAMATIONS AND ACKNOWLEDGEMENTS (PP&A)

Recognition of Service - Chris Flegel

Mayor Julius provided a brief background on Flegel's accomplishments to the Elko New Market Fire Department. A plaque was presented for Flegel's service.

Recognition of Brett Johnson

Mayor Julius provided a brief background on Johnson's accomplishments to the Elko New Market Fire Department. A plaque was presented for Johnson's service.

5) PUBLIC COMMENT

Gene Meger, 41 W. Louis Street, approached the podium and mentioned a flyer he received in the mail from his trash company regarding charging an extra fee if trash is overflowing in garbage cans. Meger suggested the City should have the other trash companies follow this extra fee to discourage littering in the neighborhoods.

Scott County Commissioner Wolf gave the Council a brief update on current discussions being held at Scott County including:

- Updated Council on discussions included at the I35 Alliance Meeting.
- Scott County is currently looking at a 4% levy increase.
- Parking for the Renaissance Festival has been successful so far this year.
- Scott County is finishing the completion of road construction projects.

Martin Sueur, 230 Williams Street, approached the podium and discussed his disapproval of the potential sidewalk being placed near his house for the reconstruction project. City Engineer

Revering advised the Council that a decision to have the sidewalk moved from one side of the street to the other or removing it altogether was being reevaluated.

Rhonda Kraska, 321 Williams Street, approached the podium and questioned Staff if there were any updates to her property regarding the assessment. Mayor Julius mentioned a benefit analysis test was conducted and City Administrator/Clerk Terry mentioned the results of the test. After discussion, Staff stated a meeting will be held next week to reevaluate the assessment of the two parcels Kraska mentioned and how these two parcels will be affected by this project from additional information the City received. Kraska also mentioned that she is looking to place her house for sale and stressed the importance of timing for discussions. Kraska mentioned the limited maintenance the City has done on the road.

Charles Friedges, 340 St. Mary Street, approached the podium to present concerns he has regarding the ability to park a vehicle on his driveway if a sidewalk is added on his side of the street in the reconstruction project.

6) CONSENT AGENDA

MOTION by Councilmember Timmerman, second by Councilmember Berg to approve the Consent Agenda.

- a. Approve August 24, 2023 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Old Town Apartments
 - i. Adopt Resolution 23-61 Approving Development Contract, Preliminary & Final Plate – Old Town Apartments
 - ii. Adopt Resolution 23-62 Approving Conditional Use Permit for Increased Building Height
 - iii. Approve Encroachment Agreement
- d. Adopt Resolution 23-66 Adopting Amendments to the Elko New Market Police Department Policy and Procedure Manual

APIF, MOTION CARRIED

7) PUBLIC HEARINGS

None.

8) GENERAL BUSINESS

The Preserve Development

Senior Planner Christianson presented to Council a brief background on the site. A residential development is proposed in the southwest portion of the property adjacent to CR 91. The proposed development plan contains 13 single family lots. Christianson reviewed the Planning Commission Review and Parks Commission Review and explained the inclusion of sidewalks adjacent for the project. After Council discussion, Council approved The Preserve Development project with removing the sidewalk extension along proposed Lots 6 -10 of Block 1.

MOTION by Mayor Julius, second by Councilmember Timmerman to

1. Adopt Resolution 23-63 Amending Comprehensive Plan
2. Adopt Ordinance 281 Rezoning Property from R3 to PUD
3. Adopt Resolution 23-64 Approving Variance
4. Adopt Resolution 23-65 Approving Development Contract, Preliminary & Final Plat
5. Approve removal of sidewalk extended along proposed Lots 6 – 10 of Block 1 to connect with the Natchez Avenue Trail.

APIF, MOTION CARRIED

Approve Quote Documents and Award Quote to Traut Wells for 2023 Monitoring Wells Installation

City Administrator/Clerk Terry explained to the Council the scope of work that needs to be completed for construction of monitoring well or wells to meet requirements from the MNDNR for the aquifer pumping test as part of the appropriations permitting process. Bids were solicited from several well drilling companies. Only one bid was received. The bid was received from Traut Companies and was higher than projected.

After Council discussion, Council approved the bid and awarded the contract to Traut Companies to install up to two monitoring wells in advance of performing the pumping test.

MOTION by Mayor Julius, second by Councilmember Berg to adopt Resolution 23-67 Awarding Contract to Traut Companies

AYES: Mayor Julius, Councilmembers Berg, Timmerman and Novak, **NAYES:** Councilmember Styles

MOTION CARRIED

9) REPORTS

a) Administration

Discussion on Regulation of Public Cannabis Use

City Administrator/Clerk Terry mentioned the examples included in the packet of how other cities are regulating Public Cannabis Use. Staff sought Council direction for the City of Elko New Market regarding regulation of Public Cannabis Use. After Council discussion, the Council directed the Parks Commission to provide a recommendation on the regulation of cannabis, tobacco and vape use in City parks. Council did not support any additional regulation of Public Cannabis Use at this time.

2024 Draft Budget – Second Draft

City Administrator/Clerk Terry held a discussion with the City Council regarding the 2024 Draft Budget. Council provided direction to Staff for the 2024 Second Draft Budget by placing a pause on Public Works Salary re-allocation by one year and reducing the budgeted contingency by \$76,320. Staff will make changes to the Draft Budget as directed by Council and continue to refine the budget for adoption of the Preliminary Budget at the next Council Meeting.

I35 Solutions and MVTA Representative

City Administrator/Clerk Terry advised the Council that representatives for I35 Solutions and MVTA should be reassigned since the resignation of Councilmember Schuenke.

After Council discussion, Councilmember Berg volunteered to stay with the I35 Solutions and Councilmember Styles was appointed to be MVTA representative.

MOTION by Councilmember Novak, second by Councilmember Timmerman to approve Councilmember Berg to continue as I35 Solutions Representative.

APIF, MOTION CARRIED

MOTION by Councilmember Berg, second by Councilmember Novak to appoint Councilmember Styles to MVTA Representative.

APIF, MOTION CARRIED

b) Public Works

August 2023 Monthly Report included in the packet.

City Administrator/Clerk Terry updated Council that Public Works is working on monitoring wells.

c) Police Department

August 2023 Monthly Report included in the packet.

Police Chief Juell updated Council on candidates for the Police Officer positions, Kwik Trip and calls that have been generated since opening of Kwik Trip and starting October 1, staffing should be at full levels.

d) Engineering

No report.

e) Community Development

Draft Planning Commission Minutes of the August 29, 2023 Meeting included in the packet.

City Administrator/Clerk Terry updated Council the new Planner I position was accepted by Brandon Malecha and will be starting on September 25.

f) Parks Department

August 2023 Monthly Update included in the packet.

City Administrator/Clerk Terry updated Council on the Parks meeting held on September 13, 2023.

g) Community & Civic Events Committee (CCEC)

Councilmember Novak updated Council that the next CCEC meeting should include discussion on how the committee should be restructured. Novak also mentioned that if a committee is going to be formed specifically for Fire Rescue Days that the Council Representative for CCEC should be aware of the meetings and included in the discussions.

h) Other Committee and Board Reports

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

No report.

1. Executive Committee
No report.
2. Service Delivery Committee
No report.

ii) I35 Solutions Alliance

Councilmember Berg updated the Council on the items discussed at the last I35 Solutions Alliance Meeting.

10) DISCUSSION BY COUNCIL

Councilmember Novak mentioned that she listened to the video from the August 24, 2023 City Council meeting and stated that it was very hard to hear discussions. It was noted that the microphones need to stay on during the meeting and Councilmembers, Staff and Consultants need to talk into the microphones.

11) ADJOURNMENT

MOTION by Councilmember Novak, second by Councilmember Berg to adjourn the meeting at 8:36 p.m.

APIF, MOTION CARRIED.

Respectfully submitted by

Lynda Jirak, Deputy Clerk