

**1. CALL TO ORDER**

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

Members Present: Mayor Julius, Councilmembers: Berg, Schwichtenberg, Seepersaud and Timmerman

Members Absent: None

Also Present: City Administrator Terry, Police Chief Juell, City Attorney Poehler, City Planner Sevening, Community Development Specialist Christianson and City Engineer Revering

**2. PLEDGE OF ALLEGIANCE**

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

**3. ADOPT/APPROVE AGENDA**

- a. Add 6fa. – Adopt Resolution No 19-77 Adopting Special Assessments – Thomas & Maree Campbell
- b. Add 6fb. – Adopt Resolution No 19-78 Adopting Special Assessments – Donavan & Darin Moore
- c. Add 6fc. – Adopt Resolution No 19-79 Adopting Special Assessment Michael & Amy Wald
- d. Add 8a. – Stipulation of Facts and Civil Sanction, TDF Liquors
- e. Add 6c. – Approve Marketplace Development Agreement Amendment for Paving and Sidewalk, Subject to Execution and Payment of Fee by Developer.

**MOTION** by Councilmember Berg, second by Councilmember Schwichtenberg, to approve the agenda as amended. **APIF, MOTION CARRIED**

**4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS**

Legislative Update – Senator Draheim and Representative Vogel

Senator Draheim and Representative Vogel reviewed the summary of their last session and what is coming up in the next session.

Mayor Julius arrived at 7:29 p.m.

After the presentation, there was a question and answer session. Senator Draheim and Representative Vogel were thanked for their presentation and work on behalf of the City.

**5. PUBLIC COMMENT**

None

**6. CONSENT AGENDA**

**MOTION** by Councilmember Timmerman, second Councilmember Seepersaud to approve Consent Agenda as amended.

- a. Approve September 26, 2019 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds

- c. Approve Marketplace Development Agreement Amendment for Paving and Sidewalk
- d. Fire Hydrant Maintenance Ordinances
  - a. Adopt Ordinance No. 204 Amending City Code Related to Fire Hydrants
  - b. Adopt Ordinance No. 205 Amending 2019 Schedule of Fees
- e. Approve the Assignment of Development Agreement between Syndicated Properties, LLC and The State Bank of Faribault, including Acknowledgement and Consent by the City of Elko New Market.
- f. Approve Woodcrest 2019 Sewer Improvement Agreements
  - a. Adopt Resolution No. 19-77 Adopting Special Assessments – Thomas & Maree Campbell
  - b. Adopt Resolution No. 19-78 Adopting Special Assessments – Donavan & Karin Moore
  - c. Adopt Resolution No. 19-79 Adopting Special Assessments – Michael & Amy Wald

## **APIF, MOTION CARRIED**

### **7. PUBLIC HEARINGS**

- a. Amending Regulations Regarding Snowmobiles and Special Use Vehicles
  - i. Ordinance No. 201 Amending Title 7, Chapter 3 of The Elko New Market City Code Concerning Snowmobiles and Special Use Vehicles.
  - ii. Summary Ordinance No. 202 Amending Title 7, Chapter 3 Of The Elko New Market City Code Concerning Snowmobiles and Special Use Vehicles
  - iii. Ordinance No. 203 Amending City of Elko New Market Fee Schedule, Ordinance No. 193, Concerning Special Use Vehicles

City Planner Sevensing requested the City Council consider amending Regulations regarding Snowmobiles and Special Use Vehicles.

Mayor Julius opened the public hearing at 7:44 p.m.

Mr. Bob Gleason, Hickory Ridge Drive, voiced his disappointment with the proposed changes to the Ordinance and how it will affect golf cart use in the City and for the golf course itself. City Administrator Terry indicated the golf course does not drive golf carts on public streets but golf carts are allowed to cross over public streets. He explained if the shared paths are used by the golf course, then the golf course would need to get permits. Mr. Gleason described routes of access to the golf course and asked whether it should then be mentioned in the Ordinance that the golf course is exempt if permits are not required. He raised additional concerns relating to whether a slow-moving equipment sign was needed and if so, where it can be mounted on his electric golf cart. He noted a 12-year-old can drive a snowmobile, UTV, or ATV but under this ordinance, a driver's license would be required to drive a golf cart that travels at a much slower speed. Mr. Gleason asked the Council to consider these concerns prior to adoption.

**MOTION** by Councilmember Berg, second Councilmember Timmerman, to close the public hearing at 7:49 p.m. **APIF, MOTION CARRIED**

City Administrator Terry thought Mr. Gleason made some good points that have not been previously raised and might need to be further examined. Councilmember Schwichtenberg thought the Ordinance could be amended to indicate that golf carts used for the purpose of the golf course itself would be exempt. City Planner Sevening thought the exemption should just be made for the golf course golf carts. After discussing this item and receiving input from staff and Police Chief Juell, the City Council requested staff review the Ordinance language and make changes to the golf cart portion as discussed tonight.

**MOTION** by Councilmember Seepersaud, second Councilmember Timmerman, to table this item to the October 24, 2019 meeting. **APIF, MOTION CARRIED**

## **8. GENERAL BUSINESS**

### Stipulation of Facts and Civil Sanction, TDF Liquors

City Administrator Terry requested the City Council consider executing Stipulation of Facts and Civil Sanctions on TDF Liquors. **MOTION** by Councilmember Berg, second Councilmember Timmerman, to approve the Stipulation of Facts and Civil Sanctions with TDF Liquors, Inc.

**APIF, MOTION CARRIED**

## **9. REPORTS**

### a) ADMINISTRATION

None

### b) PUBLIC WORKS

Written report included in Council Packet.

### c) POLICE DEPARTMENT

Written report included in Council Packet. Police Chief Juell commented on recent activity and the benefit of having extra police coverage.

### d) FIRE DEPARTMENT

City Administrator Terry updated the Council on Fire Department activities.

### e) ENGINEERING

None

### f) COMMUNITY DEVELOPMENT

None

### g) PARKS DEPARTMENT

Written Parks Commission Update and Minutes included in Council Packet.

### h) OTHER COMMITTEE AND BOARD REPORTS

#### i. SCALE

Mayor Julius updated the Council that SCALE is on Friday morning.

ii. MVTA  
None

iii. I35 SOLUTIONS ALLIANCE  
Councilmember Berg indicated this was a follow-up meeting and reviewed the minor revisions made based on feedback.

iv. CHAMBER OF COMMERCE  
Councilmember Timmerman indicated the annual meeting is going to be November 18<sup>th</sup> and will be open to the public with a Murder Mystery Dinner.

#### **10. DISCUSSION BY COUNCIL**

None

#### **11. ADJOURNMENT**

**MOTION** by Councilmember Timmerman, second by Councilmember Seepersaud, to adjourn the meeting at 8:19 p.m. **APIF, MOTION CARRIED**

Respectfully submitted by:

---

Thomas Terry, City Administrator