

CITY COUNCIL WORK SESSION

June 14, 2018

Minutes

1. CALL TO ORDER

The meeting was called to order by Mayor Crawford at 6:30 p.m.

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

Members Absent: None

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

2. PRESENTATIONS

None

3. REPORTS

None

4. GENERAL DISCUSSION

Goals and Visioning

City Administrator Terry and the City Council reviewed the Community Vision and Goals. After a lengthy discussion, Council approved the current community vision and minor changes to the following goals:

- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community. ~~Promote high quality residential development, including a broad spectrum of housing choices in both type and cost.~~
- The acquisition of land for public purposes, including, but not limited to ~~water treatment facilities~~ public utilities, library, parks and interchange rights-of-way. Position the City to take advantage of opportunities to acquire land for public purposes.
- Promote high quality residential development, including a broad spectrum of housing choices in both type and cost, the development of residential lots and an increase in residential building permit activity.

5. REPORTS (Continued)

None

6. ADJOURNMENT

The Work Session was adjourned at 7:25 p.m.

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 Timmons, second by Councilmember Timmerman to approve the agenda as revised.

May 24, 2018 Revised City Council Meetings Minutes

APIF, MOTION CARRIED

4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS

Municipal Separate Storm Sewer Systems (MS4) Annual Meeting

Engineer Revering gave the City Council and audience a presentation on the Annual Meeting for Municipal Separate Storm Sewer Systems (MS4). The City of Elko New Market is required to be covered under the Municipal Separate Storm Sewer Systems (MS4) permit program administered by the Minnesota Pollution Control Agency (MPCA). The permit stipulates that the City must hold a meeting each year.

Council directed Staff to do a presentation at a future Council Meeting impacts to wetland and drainage area buffers.

5. PUBLIC COMMENT

Scott County Commissioner Wolf gave the Council updates on activities within Scott County including I35 Road Construction Project, Scott County Road Projects and Spring Lake Park new trail.

6. CONSENT AGENDA

MOTION by Councilmember Berg, second Councilmember Julius to approve Consent Agenda as amended.

- a) Approve Revised May 24, 2018 Minutes of the City Council Meeting
- b) Approve Payment of Claims and Electronic Transfer of Funds
- c) Adopt Resolution 18-32 Reporting Performance Measurements Results to Office
- d) Approve an Agreement for Professional Services with Bolton & Menk Inc. (BMI) for Engineering Services – **Pulled and moved to General Business 8e**
- e) Adopt Ordinance No. 172 Amending Title 11, Chapter 2-2 of the City Code Concerning Commercial Vehicle Definition – **Pulled and moved to General Business 8c**
- f) Approve Website Domain Name Agreement with Neustar, Inc.
- g) Approve Agreement for Municipal Advisor Services Between the City of Elko New Market and Springsted
- h) Adopt Resolution 18-33 Appointing Lori Nelson to the Community and Civic Events Committee
- i) The Doublewide
 - a. Adopt Resolution 18-34 Approving Outdoor Concerts and Events
 - b. Adopt Resolution 18-35 Approving Temporary Expansion of Licensed Premises

APIO, MOTION CARRIED

7. PUBLIC HEARINGS

None

8. GENERAL BUSINESS

Request for Waiver of Expenses Related to Processing of Applications

In 2016, Elko Speedway applied for an amendment to the Speedway PUD to combine the conditions imposed by the approved Elko Marketplace PUD and the requirements of the Speedway license, along with additional changes requested by the applicant as the PUD amendment progressed through the process.

The City required a fee, escrow of \$5,000 for the processing of the PUD application and a \$1,500 escrow for a separate minor PUD amendment. The applicant was responsible for any external City costs associated with processing the application. Those external costs would be applied against the escrow and the applicant would still liable for those costs that may exceed the escrow.

The total bill back cost for the processing of the application was \$20,485. The applicant has paid \$11,500 to date and is requesting that the City waive the remaining fees of \$8,985 based on the following:

- The Speedway did not receive invoices in a timely fashion, thereby reducing or eliminating the ability of the Speedway to make decisions regarding the progress of the application that may have affected expenses that were incurred.
- The delay inhibited the ability of the Speedway to assess the expenses for purposes of discussion or dispute, if appropriate.
- The public received some benefit from the revised ordinance by improving the administration of the revised ordinance.
- The cumulative fees for processing the application were disproportionate to the nature of the application and significantly greater than expected.

After a lengthy discussion on this item, the City Council decided not to charge the remaining fees.

MOTION by Councilmember Timmons, second by Councilmember Timmerman not to charge Elko Speedway the remaining fees of \$8,985. **APIF, MOTION CARRIED**

Approve Purchase Agreement Between City of Elko New Market and Global Properties, LLC

The City received an offer, dated May 30, 2018, to purchase a 3.1 City-owned parcel within the Dakota Acres plat. In 2006/2007, the area was approved for townhome development but due to the recession the original development never came to fruition. Only eight (8) of the originally planned seventy-one (71) townhome units were constructed.

Global Properties, LLC has made an offer to purchase the City-owned property within the Dakota Acres plat with the intention to construct 56 apartment units on the property. The units would be contained within two 16-unit buildings and one 24-unit building. The property would need to be rezoned and platted to accommodate the proposed development.

After holding a discussion on this item, a **MOTION** was made by Councilmember Timmerman, second Councilmember Timmons to accept and approve the Purchase Agreement with Global Properties, LLC. **APIF, MOTION CARRIED**

Discuss Barsness Project Collection

At the May 24, 2018 meeting of the City Council, the Council discussed collection of amounts owed on the Barsness Project applications. After some discussion, the Council tabled item until the June 14, 2018 meeting.

MOTION by Councilmember Timmons, second by Councilmember Timmerman to remove the Barsness Project Collection Discussion from the table. **APIF, MOTION CARRIED**

Council held a discussion on Warren Barsness amounts owed to the City of Elko New Market for processing of land use applications for a total amount of \$8,768.00. Staff asked for Council direction regarding collection of amounts owed on the Barsness Project applications.

MOTION by Councilmember Timmons, second by Councilmember Timmerman to pursue the collection of amounts owed on the Barsness project. Ayes: Councilmember Timmons and Timmerman Nays: Mayor Crawford, Councilmembers Berg and Julius. **MOTION FAILED**
The City will not pursue collection of amounts owed on the Barsness Project applications.

Engineering Agreement

Mayor Crawford asked that this item be pulled from the Consent Agenda. Mayor Crawford asked if there was language included in the Engineering Agreement stating the contractor would be held responsible for any mistakes done by the consultant during a project. City Attorney Poehler stated that she felt the language stated in the agreement was adequate.

At the end of the discussion, a **MOTION** was made by Councilmember Timmons, second by Councilmember Timmerman to approve the Agreement for Professional Services for Bolton & Menk, Inc. (BMS) for Engineering Services. **APIF, MOTION CARRIED**

Commercial Vehicle Definition Ordinance Amendment

Economic Development Specialist Christianson gave the Council background information on discussions held at previous Planning

Christianson noted that upon review of other community ordinances, and a review of various truck and cube van specifications, the Planning Commission has recommended that the gross vehicle weight rating (GVWR) that defines a Class I and II Commercial Vehicle be reduced from 18,000 lbs. to 14,000 lbs. The Planning Commission has also recommended that the vehicle size (length and height) be increased to be (1) height to nine feet six inches and length to twenty-two feet and six inches.

Councilmember Julius stated he had held discussions with Kevin Marek, owner of Marek's Towing regarding the impact the Planning Commission recommendation would have on Mr. Marek's business. Councilmember Julius requested Mr. Marek discuss with the rest of the

Council the discussions held between Councilmember Julius and Kevin Marek regarding tow trucks in residential developments. Mr. Marek informed the City Council that if the gross vehicle weight rating was reduced to 14,000 lbs., he would not be able to park any of his tow trucks in residential developments and would impact the response time for his vehicles.

After discussing this item, Council directed Staff to change the reference relating to Commercial Vehicles gross vehicle weight rating from 14,000 lbs. to 18,000 lbs. and include vehicles must be parked in resident's driveway. Christianson stated that the Traffic Section of City Code will have to be reviewed to determine if changes are required. Staff will bring the revised Ordinance back at the next Council Meeting.

9. REPORTS

a) ADMINISTRATION

Discussion Regarding Legal Services Request for Proposals

City Administrator Terry discussed possible criteria for completion of the Request for Proposals (RFP) for legal services with the City Council. Administrator Terry requested two councilmembers serve on the review panel for legal services. Councilmembers Berg and Timmerman volunteered to serve on the review panel.

b) PUBLIC WORKS

Written Public Works Superintendent Report included in Council Packet.

c) POLICE DEPARTMENT

Written Police Chief Monthly Report included in Council Packet. Police Chief Mortenson gave the Council an update on police officer interview schedule.

d) FIRE DEPARTMENT

None

e) ENGINEERING

None

f) COMMUNITY DEVELOPMENT

Written draft May 29, 2018 Planning Commission Minutes were included in Council Packet.

Community Development Specialist Christianson gave the Council community development updates.

g) PARKS DEPARTMENT

Parks Commission Update included in Council Packet.

h) OTHER COMMITTEE AND BOARD REPORTS

i. SCALE

Mayor Crawford gave a brief update on the last SCALE Meeting which included a presentation on social media.

ii. MVTA

None

iii. I35 SOLUTIONS ALLIANCE

Councilmember Timmons gave the Council an update on the last I35 Solutions Alliance Meeting which included discussions on review of projects on priority list, Orange Line FTA readiness assessment has been done, contract awarded for I35 over the river construction project, Green Line agreement has been completed between the Metropolitan Council and Hennepin County, and working on 2019 Appropriation Budget.

iv. CHAMBER OF COMMERCE

Councilmember Timmerman reminded the Council of the upcoming Chamber of Commerce Golf Tournament to be held Friday, June 22, 2018.

Councilmember Berg inquired as to why there are local businesses signs posted around the City that say “New Market” and not “Elko New Market”.

Councilmember Timmerman will have this item brought up at the next Chamber of Commerce Meeting for discussion.

v. REGIONAL COUNCIL OF MAYORS

Mayor Crawford and City Administrator Terry provided an update to the Council on the last Regional Council of Mayors Meeting which included a presentation on downtown land use and return of investments.

vi. COMMUNITY AND CIVIC EVENTS COMMITTEE

City Clerk Green gave the Council an update on the upcoming Fire Rescue Days.

vii. DOWNTOWN IMPROVEMENT COMMITTEE

None

viii. 50 BY 30 COLLECTIVE IMPACT PROJECT

- Steering Committee – Mayor Crawford updated the Council that a new Project Coordinator has been selected.
- Transportation Committee – Mayor Crawford updated the Council that the Transportation Committee is working on a pilot program in Elko New Market for providing vehicle repairs for individuals that need financial assistance.
- Housing Committee – Councilmember Julius provided the Council with notes from the last Housing Committee Meeting.
- Work Force Committee – Councilmember Timmons updated the Council on the last Work Force Committee Meeting which included discussions on changing meetings from monthly to quarterly, setting up task oriented work groups and working on developing website.

10. DISCUSSION BY COUNCIL

Councilmember Timmons noted that there will be a food shelf in Elko New Market next Wednesday and that they are looking for volunteers. Staff will post this event in case there is a quorum of councilmembers attending.

Councilmember Berg updated the Council that the City of West St. Paul decided to reinstate the rental license for Mr. Gregory Mailand for a 30-unit apartment building that had previously been denied.

Mayor Crawford updated the Council that the owner of the Chinese Restaurant located in the same building with New Market Bank has found a home to temporarily rent in Elko New Market and the tentative opening date of the restaurant is mid-July.

11. ADJOURNMENT

MOTION by Councilmember Julius, second by Councilmember Timmerman to adjourn the meeting at 10:03 p.m. **APIF, MOTION CARRIED**

Respectfully submitted by:

Sandra Green, City Clerk