

1) CALL TO ORDER

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

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

Members Absent: Councilmember Novak

Also Present: City Administrator/Clerk Terry, City Accountant Stewart, Sergeant Bell, Deputy Clerk Jirak, City Engineer Revering, Patrick Fischer, Jodi Lucast and Scott County Commissioner Wolf

2) PRESENTATIONS

None.

3) GENERAL DISCUSSION

Draft 2024 Budget

City Administrator/Clerk Terry held a discussion with the City Council regarding the 2024 Budget. Staff responded to various Council questions. Council did not give direction for any changes to the draft budget. Staff will continue to refine the budget in the interim and bring back the draft budget for Council feedback and direction.

4) REPORTS

a) Administration

SCALE Legislative Priorities Request

City Administrator/Clerk Terry inquired if Councilmembers had any topics concerning Elko New Market that could be brought forward for future discussion with SCALE. After Council discussion, Council suggested support for I35/Highway 2 Bridge.

b) Public Works

City Administrator/Clerk Terry updated Council on Public Works activities and upcoming projects.

c) Police Department

Sergeant Bell updated Council on upcoming Police Officer interviews and progress of the three newly hired officers.

d) Engineering

City Engineer Revering mentioned work being done by Nuvera in the City and stated any complaints should be forwarded to him.

e) Community Development

No report.

f) Parks Department

Draft Parks & Recreation Commission Minutes of the August 14, 2023 Meeting included in the packet.

- g) Community & Civic Events Committee (CCEC)
Deputy Clerk Jirak updated the Council regarding the last CCEC meeting held. City Administrator/Clerk Terry mentioned there is support for separating out a subcommittee to solely work with Fire Rescue Days (FRD) outside of CCEC.
- 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
City Administrator/Clerk Terry updated Council regarding topics covered at the last Service Deliver Committee Meeting he attended.
 - ii) I35 Solutions Alliance
No report.

5) ADJOURNMENT

The Work Session was adjourned at 6:56 p.m.

1) CALL TO ORDER

The meeting was called to order by Mayor Julius at 6:59 p.m.

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

Members Absent: Councilmember Novak

Also Present: City Administrator/Clerk Terry, Senior Planner Christianson, City Engineer Revering, City Attorney Poehler, Sergeant Bell, City Accountant Stewart, Deputy Clerk Jirak, Patrick Fischer, Rebecka Kurtz, Jodi Lucast, Eugene Meger, Janelle Kuznia and Bryar and Jason Wolff

2) PLEDGE OF ALLEGIANCE

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

3) OATH OF OFFICE

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

4) ADOPT/APPROVE AGENDA

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

APIF, MOTION CARRIED

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

None.

6) PUBLIC COMMENT

Jason Wolff, 26782 Meadow Ridge Drive, approached the podium to inquiry why the Council voted down the fence and shed encroachment agreement at the July 27, 2023 City Council meeting. Wolff stated he was unable to attend the July 27th meeting due to work requirements and stated the importance of keeping the shed and fence on his property as is. Council and Consultants answered questions and commented on the wetlands, the road that had been considered to be built through the neighborhood at one time and the precedence this may set going forward.

After discussion Council, Mayor Julius agreed to meet with Wolff and discuss the encroachment agreement.

7) CONSENT AGENDA

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

- a) Approve Minutes of the August 10, 2023 City Council Meeting
- b) Approve Payment of Claims and Electronic Transfer of Funds

- ~~e) Establish Penalties for Water Use Restriction Violations~~
 - ~~1. Adopt Ordinance No. 276 Amending City Code Title 9 Concerning Water Use and Service Penalties~~
 - ~~2. Adopt Ordinance No. 277 Amending Fee Schedule~~
- d) Adopt Resolution 23-55 Accepting Street and Utility Improvements – Ridgeview Heights
- e) Adopt Resolution 23-57 Approving the Notice of Decision on Wetland Replacement Plan for R&F Properties, LLC
- f) Approve Budget and Authorize Purchase of Equipment for Boulder Heights Park Development Phase 1 and Woodcrest Park Revitalization Phase 1
- ~~g) Approve Professional Services Agreement with Blue Net, Inc.~~
- ~~h) Approve Professional Services Agreement with Leonard Rice Consulting Water Engineers, LLC~~

APIF, MOTION CARRIED

8) PUBLIC HEARINGS

Vacation of Drainage and Utility Easements, R & F Properties, LLC

Senior Planner Christianson presented an application for vacation of drainage and utility easements on a portion of property owned by R & F Properties LLC. Christianson explained the background, wetland delineation, proposed plat “The Preserve” and MN Statutes regarding vacation of public rights-of-way and easements, petition, publication, notices and public hearing requirements. Staff sought Council approval for vacation of drainage and utility easements for R & F Properties, LLC.

Mayor Julius opened the Public Hearing at 7:21 pm.

There were no comments from the audience.

Mayor Julius closed the Public Hearing at 7:21 pm.

After no Council discussion, Council approved Resolution 23-59 vacating drainage and utility easements upon petition of majority of abutting landowners.

MOTION by Councilmember Timmerman, second by Councilmember Berg to approve Resolution 23-59 Vacating Drainage and Utility Easements Upon Petition of Majority of Abutting Landowners.

APIF, MOTION CARRIED

9) GENERAL BUSINESS

Call for Sale of Equipment Certificates

Rebecca Kurtz from Ehlers provided the Council with an overview for the issuance and sale of General Obligation Bonds. There was no Council discussion regarding the General Obligation Bonds.

MOTION by Councilmember Berg, second by Mayor Julius to approve Resolution 23-58 Authorizing Issuance and Sale of \$830,000 General Obligation Equipment Certificates, Series 2023A.

APIF, MOTION CARRIED

Receive Report and Call for Hearing for 2024 Pavement Rehab Project

City Engineer Revering presented to Council the 2024 Pavement Rehab Project. Revering requested the City Council consider accepting the Feasibility Report for the 2024 Pavement Rehab Project and call for a Public Hearing on the proposed improvements. After Council discussion, Council supported the Feasibility Report for the 2024 Pavement Rehab Project and called for a Public Hearing on the Proposed improvement on September 28, 2023.

MOTION by Councilmember Timmerman, second by Councilmember Styles to approve Resolution 23-60 Receiving Report and Calling for Hearing for 2024 Pavement Rehab Project.

APIF, MOTION CARRIED

R & F Properties Rezoning Request

Senior Planner Christianson presented an application submitted from R & F Properties LLC to rezone 30.5 of the 155 acres along CSAH 91. This application is to rezone the property to be consistent with the City's Comprehensive Plan. Christianson presented the background, Comprehensive Plan, Zoning and Planning Commission recommendations for the rezoning application. A Public Hearing was conducted on July 25, 2023 at the Planning Commission Meeting where the Planning Commissioners recommended approval of rezoning the 30.5 acres. Staff sought approval from the Council on the Ordinances.

After Council discussion, Council approved the Findings of Fact and Draft Ordinances rezoning the property as requested by R & F Properties.

MOTION by Councilmember Berg, second by Councilmember Timmerman to:

1. Adopt Findings of Fact and Ordinance No. 279 Rezoning Property from PUD to R3
2. Adopt Findings of Fact and Ordinance No. 280 Rezoning Property from PUD to R4

APIF, MOTION CARRIED

Amending Elko Speedway PUD to Amend Legal Description and Parking Plan

Senior Planner Christianson presented an application submitted from R & F Properties to amend Ordinance No. 149 to Amend the Legal Description and the Parking Plan for Elko Speedway. Christianson presented the application, background, parking requirements, the analysis for maximum capacity events can be accommodated without overflow parking and Planning Commission recommendations. A Public Hearing was conducted on July 25, 2023 at the Planning Commission Meeting where the Planning Commissioners recommended approval of the request to amend the PUD Ordinance.

After no comments from the Council. Council approved to adopt the Ordinance to amend the Legal Description and Parking Plan for Elko Speedway.

MOTION by Councilmember Timmerman, second by Mayor Julius to adopt Ordinance No. 278 Amending Elko Speedway PUD to Amend Legal Description and Parking Plan.
APIF, MOTION CARRIED

Professional Services Agreement with Blue Net, Inc.

City Administrator/Clerk Terry provided the background on the City's Management Information Systems (MIS) relationship with the City of Savage. The City of Savage has had the capacity over the last decade to provide MIS support. However, due to the City of Savage's growing MIS needs, they will be unable to provide services beyond 2023.

The City of Savage IT staff assisted the City with identifying, vetting and selecting vendors to provide managed IT services. Blue Net was selected as the recommended vendor. Blue Net is scheduled to be onboarding in November with full transition from the City of Savage IT staff in January of 2024.

After Council discussion, Council agreed to approve the Professional Services Agreement with Blue Net, Inc for MIS services.

MOTION by Mayor Julius, second by Councilmember Styles to approve the Professional Services Agreement with Blue Net, Inc.
APIF, MOTION CARRIED

Professional Services Agreement with Leonard Rice Consulting Water Engineers, LLC

City Administrator/Clerk Terry provided the background on services provided to the City for underground water and related permitting issues by Leonard Rice Consulting Water Engineers, LLC (LRE) in assisting with the water appropriation permit from the MnDNR. The City Council is being asked to approve the Professional Services Agreement with LRE to prepare the City's Aquifer Pumping Test Workplan to avoid the expense of extra administrative costs for them working as a subcontractor for Bolton-Menk the City's consulting engineering firm.

MOTION by Councilmember Berg, second by Councilmember Timmerman to approve the Professional Services Agreement with Leonard Rice Consulting Water Engineers, LLC.
APIF, MOTION CARRIED

Establish Penalties for Water use Restriction Violations

Mayor Julius explained that he pulled this item from the Consent Agenda as the Council did not have a discussion regarding the fine structure and wanted to give Council an opportunity to discuss the fine structure as listed in the attached amended Fee Schedule. After Council discussion, Council agreed with Staff's recommendation on the fine structure as amended on the Fee Schedule for this year and will reevaluate at a future Council meeting if needed.

MOTION by Councilmember Berg, second by Councilmember Timmerman to approve:

1. Ordinance No. 276 Amending City Code Title 9 Concerning Water Use and Service Penalties
2. Ordinance No. 277 Amending Fee Schedule

APIF, MOTION CARRIED

REPORTS

All reports were presented under the Work Session.

10) DISCUSSION BY COUNCIL

None.

11) ADJOURNMENT

MOTION by Councilmember Timmerman, second by Councilmember Berg to adjourn the meeting at 8:15 p.m.

Respectfully submitted by

Lynda Jirak, Deputy Clerk