

**1) CALL TO ORDER**

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

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

Members Absent: None

Also Present: City Administrator Terry, Police Chief Juell, Community Development Specialist Christianson, Public Works Superintendent Schweich and City Engineer Revering

**2) PRESENTATIONS**

**3) REPORTS**

**4) GENERAL DISCUSSION**

2020 Draft Budget

City Administrator Terry presented the City Council the second draft of the 2020 Summary, General Fund Revenues, General Fund Expenditures, Capital Outlay, Community Events, Fire Department Revenues, Fire Department Expenditures and Fire Department Capital Outlay, bonded Debt and Equipment Certificate sections of the budget for feedback.

**5) REPORTS (Continued)**

No reports from the Business Agenda were presented.

**6) ADJOURNMENT**

The Work Session was adjourned at 6:58 p.m.

**1. CALL TO ORDER**

The meeting was called to order by Mayor Julius at 7:02 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, City Engineer Revering and Public Works Supervisor Schweich

**2. PLEDGE OF ALLEGIANCE**

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

**3. ADOPT/APPROVE AGENDA**

City Administrator Terry indicated there was a new item under General Business, Approve Encroachment Agreement with Elko 34, LLC (Pete's Hill) and also the Mayor asked to have Items D and E under the Consent Agenda moved to General Business for further discussion. Mayor Julius requested General Business Items A and Item B be switched around. **MOTION** by Councilmember Timmerman, second by Councilmember Seepersaud to approve the agenda. **APIF, MOTION CARRIED**

**4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS**

None

**5. PUBLIC COMMENT**

None

**6. CONSENT AGENDA**

**MOTION** by Councilmember Timmerman, second Councilmember Schwichtenberg to approve Consent Agenda.

- a. Approve August 8, 2019 Minutes of the City Council Meeting
- b. Approve August 22, 2019 Minutes of the City Council Meeting
- c. Approve Payment of Claims and Electronic Transfer of Funds
- d. Moved from Consent Agenda to General Business for discussion
- e. Moved from Consent Agenda to General Business for discussion
- f. Authorize Payment to R&F Properties, LLC for Easement Related to CSAH 2 & 91 Roundabout Project
- g. Adopt Resolution 19-52 Approving Extension of the Deadline for Filing the Final Plat for Dakota Acres 1<sup>st</sup> Addition
- h. Approve Special Assessment Agreements with Platinum Pioneers, LLC and Michael and Sara Mahoney
  - i. Adopt Resolution No. 19-54 Special Assessments – Platinum Pioneers LLC
  - ii. Adopt Resolution No. 19-55 Special Assessments – Michael & Sara Mahoney

- i. Adopt Resolution 19-53 Amending the City of Elko New Market Website Policy

**APIF, MOTION CARRIED**

**7. PUBLIC HEARINGS**

None

**8. GENERAL BUSINESS**

a. Refinancing of Market Village

City Engineer Revering requested the City Council consider a Resolution pertaining to refunding the 2010A/B bonds issued by the Scott County CDA (SCCDA) for the purpose of constructing Market Village. Mr. Paul Steinman, Baker Tilley made a presentation to the City Council. **MOTION** by Councilmember Timmerman, second Councilmember Berg, to approve Resolution 19-56, Approving the Pledge Of The General Obligation Of The City Of Elko New Market, Minnesota To Reimburse Scott County, Minnesota For The Payment Of The Governmental Development Refunding Bonds (Scott County, Minnesota Unlimited Tax General Obligation), Series 2019B, To Be Issued Bu The Scott County Community Development Agency; And Authorizing The Execution And Delivery Of Documents In Connection Therewith. **APIF, MOTION CARRIED**

b. Snowmobiles and Special Use Vehicles

City Planner Sevening made a presentation and requested the City Council consider the draft Ordinance Amendments concerning snowmobiles and special use vehicles. Berg indicated he would like to see more consistency between the different types of vehicles and age and to be consistent with State Statute.

Ms. Amanda Wynn, 1430 Overlook Drive, would like to have it stipulated that a child needed to be accompanied with a person 18 or older within the vehicle.

Mr. Brad Smith, 347 Brady Street, asked the City for clarification on proposed regulations in the Code.

Mr. Rod Schnickels, 26681 Oakridge Way, questioned the general transportation rule with these kinds of vehicles. Indicated he did not have an issue with a fee but noted the State already charges a license fee.

Mr. Glen Wear, 9720 Oxford Lane, thought the City did a good job on this. Would like to have the hours extended for special use vehicles.

Ms. Nicole Kruckman, 336 Wagner Way, asked for clarification on the transportation piece between trail and business. She also agreed on the time change. Police Chief Juell explained it would be according the officer's discretion.

After discussing this item, the City Council requested Staff to set a Public Hearing for October 10, 2019 adding to the Ordinance changing the time limit to 1:00am on ATV's and golf carts, and Council agreed that age restrictions as currently set is acceptable.

c. Elko New Market Police Department Pre-Design Report

City Administrator Terry requested the City Council to provide direction of preferred Police Department facility option. He made a presentation to the City Council. Mayor Julius was concerned with the cost associated with this project and was not sure if the City could afford a new addition. Councilmember Schwichtenberg did not think a renovation was the answer and the long-term solution would be at City Hall. Councilmember Seepersaud indicated that she believed the addition at City Hall was a better option than renovation. Councilmember Timmerman indicated the cost was significant, but she felt long term the Police Department needed to be at the City Hall. Councilmember Berg thought renovation is delaying eventually having to build a new facility. Majority of the Council was in favor of building a new building rather than renovation of the old building. After discussing this item, the City Council requested Staff to bring back a motion to negotiate a contract for Phase 2 for Architectural Services with Leo A Daly for Phase 2 of the Police Department Project with more details.

d. Approve Encroachment Agreement with Elko 34, LLC (Pete's Hill)

Community Development Specialist Christianson requested the City Council consider approving the Encroachment Agreement with Elko 34, LLC (Pete's Hill). **MOTION** by Councilmember Schwichtenberg, second Councilmember Berg, to approve the Encroachment Agreement with Elko 34, LLC (Pete's Hill). **APIF, MOTION CARRIED**

e. Approve Agreement For Legal Services Between The City Of Elko New Market and Campbell Knutson

Mayor Julius requested discussion regarding the legal services agreement and the basis for the recommendation for Campbell Knutson. City Administrator Terry explained that the City solicited proposals for Civil Legal Services. Current City policy states every three years the City evaluates core consultants. Council has decided that every nine years the City will request proposals regardless of the performance of the consultant as a matter of good public policy to ensure the City is receiving the best value and service. Eight firms that met the characteristics desired by the Council were sent requests for proposals. Of the solicited firms, three responded. A committee consisting of Councilmembers Berg and Timmerman, the City Administrator, Assistant City Administrator and the Community Development Specialist reviewed the proposals.

Generally the pricing was comparable between the firms. The firms took different approaches regarding the teams they offered to serve the City. One was quickly eliminated based on the experience and depth of their team. Another firm had one very experienced lead attorney, but that individual served as the City Attorney for a large number of cities.

Campbell Knutson's approach was to provide a very experienced City Attorney and provide back up. They have individuals within their firm that specialize in a particular area that maybe pulled in depending on the City's needs. Andrea Poehler, currently serving as the city Attorney, serves as the HR and land use/development contracts specialist in the firm.

It was felt that the model that was provided by Campbell Knutson was the best fit for the City. Additionally, Poehler as an individual and Campbell Knutson as a firm have a significant amount of institutional knowledge of the City having been with the City since the 80's. This City was Poehlers's first city client with the firm. As a result, the City has a senior member of the firm as their primary legal counsel and would not get the same attention from other firms due to our size and/or newness as a client.

Ultimately, the decision was to go with Campbell Knutson because we would regularly receive the most experienced attorney that not only has the greatest expertise in the areas the City needs most but also institutional knowledge that the firm can offer to the City.

City Administrator Terry requested the City Council approve the Agreement for Legal Services between The City of Elko New Market and Campbell Knutson. **MOTION** by Councilmember Berg, second Councilmember Timmerman, to approve the Agreement for Legal Services between The City of Elko New Market and Campbell Knutson. **APIF, MOTION CARRIED**

f. Adopt Ordinance No. 200 Amending City Of Elko New Market City Code Title 4, Chapter 2 Concerning Liquor License Applications

City Administrator Terry requested the City Council approve the elimination of legacy language related to food sales reporting in restaurant/bars for liquor licensing purposes. **MOTION** by Councilmember Berg, second Councilmember Schwichtenberg, to adopt Ordinance No. 200, removing legacy language in the Ordinance related to Food vs Liquor Sales. **4 Ayes, 1 Abstain (Timmerman), 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.

d) FIRE DEPARTMENT  
None

e) ENGINEERING  
None

f) COMMUNITY DEVELOPMENT

- Community Development Updates
- Written draft August 27, 2019 Planning Commission Minutes included in Council Packet.
- Code Enforcement Report

g) **PARKS DEPARTMENT**

Written Parks Commission Update and Minutes included in Council Packet.

Written draft August 20, 2019 Parks & Recreation Commission Minutes included in Council Packet.

h) **COMMUNITY & CIVIC EVENTS COMMITTEE (CCEC)**

Written draft August 20, 2019 Community & Civic Events Committee Minutes included in Council Packet.

i) **OTHER COMMITTEE AND BOARD REPORTS**

i. **SCALE**

- Executive Committee
- Service Delivery Committee
- Unified Transit Plan Steering Committee

ii. **MVTA**

None

iii. **I35 SOLUTIONS ALLIANCE**

None

iv. **CHAMBER OF COMMERCE**

None

**10. DISCUSSION BY COUNCIL**

Councilmember Berg indicated the Policy Committees are wrapping up for Metro Cities and League of Minnesota Cities and there have been some interesting discussions.

**11. ADJOURNMENT**

**MOTION** by Councilmember Timmerman, second by Councilmember Berg, to adjourn the meeting at 9:17 p.m. **APIF, MOTION CARRIED**

Respectfully submitted by:

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Thomas Terry, City Administrator