

**CITY OF ELKO NEW MARKET
CITY COUNCIL AGENDA
ELKO NEW MARKET CITY HALL
601 MAIN STREET
ELKO NEW MARKET, MINNESOTA 55054
THURSDAY, NOVEMBER 15, 2018**

**BUSINESS MEETING
7:30 PM**

Invocation: Pastor Doyle Vangelder, Crossroads Church

1. Call to Order

2. Pledge of Allegiance

3. Oath of Office

- a. Oath of Office for Councilmember Seepersaud

4. Adopt/Approve Agenda

5. Presentations, Proclamations and Acknowledgements (PP&A)

- a. Recognition of Former Planning Commissioner Heather Vetter
- b. Recognition of Chief Steve Mortenson

6. Public Comment

Individuals may address the Council about any item not contained on the regular agenda. The Council may limit the time allotted to each individual speaker. A maximum of 15 minutes will be allotted for Public Comment. If the full 15 minutes are not needed for Public Comment, the City Council will continue with the agenda. The City Council will not normally take any official action on items discussed during Public Comment, with the exception of referral to staff or commission for future report.

7. Consent Agenda

All matters listed under consent agenda are considered routine by the City Council and will be acted on by one motion in the order listed below. There may be an explanation, but no separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

- a. Approve October 25, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Adopt Resolution 18-69 Canvassing Returns of Votes for the City of Elko New Market
- d. Appoint of Interim Chief Law Enforcement Officer
- e. Authorize Hire of Deputy Clerk
 - i. Approve Deputy Clerk Job Description
 - ii. Authorize City Administrator to Hire Position
- f. Approve Renewal of 2019 Employee Benefits Plan
- g. Approve 2019 Salary Schedules

8. Public Hearings

9. General Business

- a. Appeal of Administrative Appeals Board Determination
- b. Planning Commissioner Appointment

- i. Adopt Resolution 18- Appointing Planning Commissioner
 - ii. Oath of Office for Planning Commissioner
- c. Zoning Ordinance Amendment, Definitions and B1 Zoning District – Uses
 - i. Ordinance No. 179 An Ordinance Amending City Of Elko New Market City Code Title 11, Chapter 2-2, Concerning Definitions And Title 11, Chapter 5-14 Concerning Daycare Facilities And Title 11, Chapter 9-10 Concerning Parking Regulations And Title 11 Chapters 25 And 26 Concerning Permitted And Conditional Uses
 - ii. Summary Ordinance No. 180 An Ordinance Amending City Of Elko New Market City Code Title 11, Chapter 2-2, Concerning Definitions And Title 11, Chapter 5-14 Concerning Daycare Facilities And Title 11, Chapter 9-10 Concerning Parking Regulations And Title 11 Chapters 25 And 26 Concerning Permitted And Conditional Uses
- d. Authorize City Administrator to Post Planning Commission Vacancy and Appointment of Selection Committee

10. Reports

- a. Administration
 - i. LMC and Metro Cities Policies
 - ii. 3rd Quarter Financial Report
- b. Public Works
 - i. Superintendent Monthly Report
- c. Police Department
 - i. Police Chief Monthly Report
- d. Fire Department
- e. Engineering
 - i. 2019 Pavement Rehabilitation Feasibility Report Update
- f. Community Development
 - i. Wagner Properties Letter
- g. Parks Department
 - i. Parks Commission Update
- h. Other Committee and Board Reports
 - i. Scott County Association for Leadership and Efficiency (SCALE)
 - ii. Minnesota Valley Transit Authority (MVTA)
 - iii. I35 Solutions Alliance
 - iv. Chamber of Commerce
 - v. Regional Council of Mayors
 - vi. Civic & Community Events Committee (CCEC)
 - vii. Downtown Improvement Committee
 - viii. 50 By 30 Collective Impact Project
 - Steering Committee
 - Transportation Committee
 - Housing Committee
 - Workforce Committee

11. Discussion by Council

12. Closed Meeting

- a. City Administrator Performance Review

13. Adjournment



STAFF MEMORANDUM

SUBJECT:	Oath of Office for Newly Elected Councilmember
MEETING DATE:	November 15, 2018
PREPARED BY:	Sandra Green, City Clerk
REQUESTED ACTION:	Oath of Office for Councilmember Seepersaud

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

With the resignation of Councilmember Patricia Timmons from the City Council effective July 30, 2018, the City Council decided not to fill the vacancy until a Special Election could be held.

DISCUSSION

The Special Election was held in conjunction with the November 6, 2018 General Election. Dawn Seepersaud was elected to fill the vacancy created by Councilmember Timmons and to complete the term ending December 31, 2020.

Since Dawn Seepersaud was elected by Special Election, she will be sworn into office at the November 15, 2018 City Council Meeting. The Oath of Office will be administered by City Clerk Green.

Please contact the City Clerk with any questions regarding the matter in this memorandum (952-461-2777).

1. CALL TO ORDER

The meeting was called to order by Mayor Crawford at 6:31 p.m.

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

Members Absent: None

Also Present: City Administrator Terry, Finance Director Doud, Sarah Lloyd of Bolton & Menk and City Clerk Green

2. PRESENTATIONS

None

3. REPORTS

None

4. GENERAL DISCUSSION

Review Utility Fund Budgets and Rate Structures Analysis

Finance Director Doud and City Administrator Terry provided the City Council with the annual review of the City's Utility Funds using a Utility Fund Model that has been refined over a number of years. By examining various assumptions related to development, expenses and rates, scenarios were derived from these assumptions to assist the Council in making more informed policy decisions in regards to the City's utility fund rate structures.

Staff provided the Council with the following two different scenarios or options for discussion:

- Conservation (Consistent with Prior Year) Scenario
- Higher-Growth Scenario.

After reviewing both Conservation and Higher-Growth scenarios for all Utility Funds, Council directed Staff to use the Higher-Growth Scenario and associated rate adjustments for all Utility Funds.

Council directed Staff to change the General Fund single family building permit assumptions from 15/15/15 to 20/20/20 for years 2019, 2020 and 2021.

5. REPORTS (Continued)

No reports from the Business Agenda were presented.

5. ADJOURNMENT

The Work Session was adjourned at 730 p.m.

1. CALL TO ORDER

The meeting was called to order by Mayor Crawford at 7:35 p.m.

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

Members Absent None

Also Present: City Administrator Terry, Finance Director Doud, Sarah Lloyd of Bolton & Menk 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 Berg, second by Councilmember Timmerman to approve the agenda as revised.

Move 6f - Proposed Zoning Ordinance Amendment, Definitions and B1
Zoning District – Uses to General Business 8a.

APIF, MOTION CARRIED

4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS

None

5. PUBLIC COMMENT

None

6. CONSENT AGENDA

MOTION by Councilmember Julius, second Councilmember Timmerman to approve Consent Agenda.

- a. Approve October 11, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Adopt Resolution 18-67 Approving Outdoor Concerts and Events for Christmas Tree Lighting
- d. Adopt Resolution 18-68 Appointing an Acting City Clerk and Deputy City Clerk
- e. Change Requests to Financial Services Contracts - AEM
- f. Approve Proposed Zoning Ordinance Amendment, Definitions and B1 Zoning District – Uses – **Moved to General Business**
- g. Adopt Ordinance No. 178 Rezoning Property from Planned Unit Development to R4

- h. Chief of Police Emergency Management Director
 - a. Approve revised Chief of Police Emergency Management Director Job Description
 - b. Authorize Staff to Advertise for position

APIF, MOTION CARRIED

7. PUBLIC HEARINGS

None

8. GENERAL BUSINESS

Proposed Zoning Ordinance Amendment, Definitions and B1 Zoning District - Uses

Councilmember Berg requested this item be moved from Consent Agenda to General Business. Councilmember Berg had some questions regarding this item. Due to Community Development Specialist Christianson not being in attendance at this meeting to answer Councilmember Berg's questions, this item was moved to the November 15, 2018 Council Meeting.

9. REPORTS

a) ADMINISTRATION

None

b) PUBLIC WORKS

None

c) POLICE DEPARTMENT

None

d) FIRE DEPARTMENT

None

e) ENGINEERING

None

f) COMMUNITY DEVELOPMENT

Written Community Development Updates included in Council Packet.

g) PARKS DEPARTMENT

Draft October 9, 2018 Parks Commission Minutes included in Council Packet.

h) OTHER COMMITTEE AND BOARD REPORTS

i. SCALE

None

ii. MVTA

None

iii. I35 SOLUTIONS ALLIANCE

None

iv. CHAMBER OF COMMERCE

Councilmember Julius mentioned that the Chamber of Commerce will be holding their Annual Meeting/Dinner on November 1, 2018.

v. REGIONAL COUNCIL OF MAYORS

None

vi. COMMUNITY AND CIVIC EVENTS COMMITTEE

City Clerk Green reminded the Council and audience of the annual Halloween Party to be held Saturday, October 27th at Eagle View Elementary School.

vii. DOWNTOWN IMPROVEMENT COMMITTEE

None

viii. 50 BY 30 COLLECTIVE IMPACT PROJECT

- Steering Committee – None
- Transportation Committee –None
- Housing Committee – None
- Work Force Committee –None

10. DISCUSSION BY COUNCIL

None

11. ADJOURNMENT

MOTION by Councilmember Berg, second by Councilmember Julius to adjourn the meeting at 7:52 p.m. **APIF, MOTION CARRIED**

Respectfully submitted by:

Sandra Green, City Clerk



STAFF MEMORANDUM

SUBJECT:	Presentation of Elko New Market Claims and Electronic Transfer of Funds
MEETING DATE:	November 15, 2018
PREPARED BY:	Stephanie Fredrickson, Administrative Assistant
REQUESTED ACTION:	Approve Payment of Current Claims

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- Performance Measurement
- Professionalism

BACKGROUND

Each month the City Clerk presents for approval the Elko New Market Claims and Electronic Transfer of Funds. In the absence of City Clerk Green, Administrative Assistant Stephanie Fredrickson is presenting Elko New Market Claims and Electronic Transfer of Funds for Council approval.

BUDGET IMPACT:

Budgeted

Attachments:

- Check Summary Register

CITY OF ELKO/NEW MARKET

*Check Summary Register

NOVEMBER 15, 2018

Name	Check Date	Check Amt	
AUTOPAYS			
Paid Chk# 005765EPERA	11/1/2018	\$7,076.76	Vendor Liability
Paid Chk# 005766EMN DEPT OF REVENUE	11/1/2018	\$1,908.73	Vendor Liability
Paid Chk# 005767EINTERNAL REVENUE SERVICE	11/1/2018	\$8,364.25	Vendor Liability
Paid Chk# 005768EHEALTH EQUITY, INC.	11/1/2018	\$416.53	HSA110118
Paid Chk# 005769EHEALTH EQUITY, INC.	10/18/2018	\$862.56	H.S.A. Employee Contribution
Paid Chk# 005770ENEW MARKET BANK	10/3/2018	\$30.00	Bank charges 10-3 & 10-18
Paid Chk# 005771EHEALTH EQUITY, INC.	10/18/2018	\$64.90	
Paid Chk# 005772EHEALTH PARTNERS	10/31/2018	\$8,652.90	MEDICAL INS -October
Paid Chk# 005773EDELTA DENTAL OF MINNESOTA	10/1/2018	\$824.15	DENTAL INSURANCE - Oct 2018
Paid Chk# 005774EMINNESOTA ENERGY	11/14/2018	\$102.49	26518 France Avenue
Paid Chk# 005775EMINNESOTA ENERGY	11/14/2018	\$23.14	26518 France Avenue
Paid Chk# 005776EXCEL ENERGY	11/21/2018	\$194.27	Storage
Paid Chk# 005777EXCEL ENERGY	11/23/2018	\$171.50	Lift Station / 10010 Ptarmigan
Paid Chk# 005778EXCEL ENERGY	11/26/2018	\$2,958.05	25499 Natchez Ave - Water Trea
Paid Chk# 005779EXCEL ENERGY	11/23/2018	\$892.69	Wellhouse - 26460 France Ave
Paid Chk# 005780EXCEL ENERGY	11/19/2018	\$1,074.21	26536 France Ave
Paid Chk# 005781EMN VALLEY ELECTRIC COMPANY	11/9/2018	\$10.74	City of Elko Park, Elko
Paid Chk# 005782EXCEL ENERGY	11/19/2018	\$469.25	Library - 100 J Roberts Way
Paid Chk# 005783EMN VALLEY ELECTRIC COMPANY	11/22/2018	\$1,440.14	Streetlights, Elko
Paid Chk# 005784EMN VALLEY ELECTRIC COMPANY	11/9/2018	\$74.39	Glenborough Dr & Chowen
Paid Chk# 005785EMN VALLEY ELECTRIC COMPANY	11/22/2018	\$34.62	27059 Beard Ave Lift Pump
Paid Chk# 005786EMINNESOTA ENERGY	11/16/2018	\$22.30	408 Carter Street
Paid Chk# 005787EMINNESOTA ENERGY	11/16/2018	\$23.99	359 James Parkway
Paid Chk# 005788EMINNESOTA ENERGY	11/16/2018	\$51.55	110 J Roberts Way - Library
Paid Chk# 005789EMINNESOTA ENERGY	11/14/2018	\$20.62	26518 France Avenue
Paid Chk# 005790EMINNESOTA ENERGY	11/14/2018	\$116.66	PW Facility - Gas Utilities
Paid Chk# 005791EMINNESOTA ENERGY	11/13/2018	\$188.63	25499 Natchez Ave - WTP
Paid Chk# 005792EMINNESOTA ENERGY	11/20/2018	\$273.63	50 Church Street
Paid Chk# 005793EDAKOTA ELECTRIC ASSN	11/2/2018	\$127.67	Ptarmigan Drive Streetlights
Paid Chk# 005794EPSN	11/5/2018	\$1,052.45	Credit Card Processing Fees
	Total Checks	\$37,523.77	

PRE-PAIDS			
Paid Chk# 039041 DVS RENEWAL	10/25/2018	\$21.75	Tab Renewal
Paid Chk# 039042 PAYROLL	11/1/2018	\$724.83	
Paid Chk# 039043 PAYROLL	11/1/2018	\$198.21	
Paid Chk# 039044 VERIZON WIRELESS	11/6/2018	\$808.53	Cell Phones
Paid Chk# 039045 DELTA DENTAL OF MINNESOTA	11/6/2018	\$662.05	Dental
Paid Chk# 039046 UNITED STATES POSTAL SVC	11/9/2018	\$297.64	October Utility Bills Postage
Paid Chk# 039047 PAYROLL	11/15/2018	\$586.23	
Paid Chk# 039048 PAYROLL	11/15/2018	\$233.18	
	Total Checks	\$3,532.42	

CHECK REGISTER			
Paid Chk# 039049 ACE HARDWARE & PAINT	11/15/2018	\$121.80	PW - Building Maint
Paid Chk# 039050 ACE HARDWARE & PAINT2	11/15/2018	\$19.99	PW - Building Maint
Paid Chk# 039051 AEM FINANCIAL SOLUTIONS, LLC	11/15/2018	\$8,395.76	Financial Svcs - October 2018
Paid Chk# 039052 AIM ELECTRONICS, INC.	11/15/2018	\$456.07	Building Maint - Dig Sign
Paid Chk# 039053 AIRGAS USA, LLC	11/15/2018	\$163.05	FD - Oxygen
Paid Chk# 039054 ANCOM COMMUNICATIONS, INC.	11/15/2018	\$442.75	FD - Pagers
Paid Chk# 039055 CRAIG ANDERSON	11/15/2018	\$120.99	Mileage - October 2018
Paid Chk# 039056 APPLE FORD LINCOLN	11/15/2018	\$288.60	PD Fleet
Paid Chk# 039057 APPLE VALLEY MEDICAL CLINIC	11/15/2018	\$122.00	Pre-employ Testing - Haley Sev
Paid Chk# 039058 ASPEN MILLS	11/15/2018	\$661.15	FD Class A Uniforms
Paid Chk# 039059 BOLTON & MENK	11/15/2018	\$25,831.50	T15.100716 - Wastewater System
Paid Chk# 039060 BOYER TRUCKS	11/15/2018	\$640.14	PW - Fleet Maint & Equip
Paid Chk# 039061 CENTRAL FIRE PROTECTION,	11/15/2018	\$197.00	FD - Recharge Fire Extinguishe
Paid Chk# 039062 CINTAS CORPORATION NO. 2	11/15/2018	\$42.34	PW OPERATING SUPPLIES
Paid Chk# 039063 COMMERCIAL ASPHALT	11/15/2018	\$709.66	PW - Streets
Paid Chk# 039064 CORE & MAIN LP	11/15/2018	\$545.63	PW - Operating Supplies
Paid Chk# 039065 E.H. RENNER & SONS	11/15/2018	\$1,629.00	PW - Water Repairs
Paid Chk# 039066 EDGEWATER TITLE GROUP, LLC	11/15/2018	\$182.14	Credit Processing Fee
Paid Chk# 039067 ETERNITY HOMES, LLC	11/15/2018	\$5,100.00	Erosion Control Escrow - 26655
Paid Chk# 039068 FASTENAL COMPANY	11/15/2018	\$527.58	PW - Small Tools

CITY OF ELKO/NEW MARKET

*Check Summary Register©

October 2018 to November 2018

	Name	Check Date	Check Amt	
Paid Chk#	039069	FIELDSTONE FAMILY HOMES	11/15/2018	\$5,100.00 Erosion Control Escrow - 10157
Paid Chk#	039070	FISH ROCK COUNTRY MARKET	11/15/2018	\$22.50 PW - Streets
Paid Chk#	039071	FRANCOTYP-POSTALIA, INC.	11/15/2018	\$120.00 Postage Machine Rental
Paid Chk#	039072	GOODWIN, DAVID & KELLY	11/15/2018	\$97.27 Credit Processing Fee
Paid Chk#	039073	GOPHER STATE ONE CALL	11/15/2018	\$110.70 Locates
Paid Chk#	039074	GTS EDUCATIONAL EVENTS	11/15/2018	\$80.00 Land Use Workshop - Brad Smith
Paid Chk#	039075	HAMMER, KYLE & ELIZABETH	11/15/2018	\$100.38 Utility Billing Credit Refund
Paid Chk#	039076	HAWKINS, INC.	11/15/2018	\$25.00 PW - Water Chemicals
Paid Chk#	039077	HIRERIGHT, INC.	11/15/2018	\$745.52 Background Checks - PD & PW Po
Paid Chk#	039078	HOME OIL COMPANY	11/15/2018	\$39.50 FD Vehicle Maintenance
Paid Chk#	039079	ICMA MEMBERSHIP RENEWALS	11/15/2018	\$962.00 Mem #308264 - Tom Terry Annual
Paid Chk#	039080	INNOVATIVE OFFICE SOL	11/15/2018	\$8.21 Office Supplies
Paid Chk#	039081	INTERSTATE POWER SYSTEMS,	11/15/2018	\$1,019.00 PW - Fire Hall Generator
Paid Chk#	039082	JEFFERSON FIRE & SAFETY, INC.	11/15/2018	\$2,417.36 FD - Hose Adapter
Paid Chk#	039083	JOHN HENRY FOSTER	11/15/2018	\$403.10 PW - Water Repairs
Paid Chk#	039084	KCHK AM/FM	11/15/2018	\$64.00 Halloween Party
Paid Chk#	039085	KELLEY FUELS, INC.	11/15/2018	\$2,241.08 FD - Fuel
Paid Chk#	039086	LAKEVILLE SANITARY, INC.	11/15/2018	\$299.31 11755 - City Hall
Paid Chk#	039087	LEAGUE OF MN CITIES	11/15/2018	\$75.00 Regional Mtg/MAMA Luncheon
Paid Chk#	039088	JOHN MACHABY	11/15/2018	\$9.93 PD - Operating Supplies
Paid Chk#	039089	MAHOWALD BUILDERS	11/15/2018	\$4,490.00 2017 PUD Amendment/The Farm Es
Paid Chk#	039090	MAMA-METRO AREA MGMT	11/15/2018	\$25.00 MAMA Luncheon 10/11/18
Paid Chk#	039091	MANDERS DIESEL	11/15/2018	\$50.00 PW - Fleet Maint & Equip
Paid Chk#	039092	MAREKS TOWING & REPAIR INC.	11/15/2018	\$57.35 PD Fleet
Paid Chk#	039093	MENARDS - DUNDAS	11/15/2018	\$361.61 PW - Building Maint
Paid Chk#	039094	METROPOLITAN COUNCIL	11/15/2018	\$18,807.29 MCES Charges Dec 18
Paid Chk#	039095	METERING & TECH SOLUTIONS	11/15/2018	\$3,864.00 PW - Water Meters
Paid Chk#	039096	MIDWEST SAFETY	11/15/2018	\$4,350.00 Safety Training 10/18/18
Paid Chk#	039097	MINNETONKA TITLE	11/15/2018	\$95.61 Credit Processing Fee
Paid Chk#	039098	MN CRITTER GETTERS, INC.	11/15/2018	\$1,174.00 Monthly Animal Control
Paid Chk#	039099	MN DEPT OF HEALTH	11/15/2018	\$23.00 Water License - Joe Fitterer
Paid Chk#	039100	MN DEPT OF HEALTH	11/15/2018	\$23.00 Water License - Payton Hill
Paid Chk#	039101	JODI MUELKEN	11/15/2018	\$137.79 Reimbursement for Food - Open
Paid Chk#	039102	MUNICIPAL INSPECTIONS, INC.	11/15/2018	\$4,103.84 Building Inspections
Paid Chk#	039103	MVTL LABORATORIES	11/15/2018	\$95.00 PW - Water Testing
Paid Chk#	039104	NAPA AUTO PARTS	11/15/2018	\$1,357.66 PW - Small Tools
Paid Chk#	039105	Voided	11/14/2018	\$0.00 Check AddUnused
Paid Chk#	039106	OLDCASTLE PRECAST INC.	11/15/2018	\$540.00 PW - Storm Water Repairs
Paid Chk#	039107	QUALITY FLOW SYSTEMS, INC.	11/15/2018	\$18,840.00 PW - Sewer Repairs
Paid Chk#	039108	QUILL CORPORATION	11/15/2018	\$268.12 Operating Supplies
Paid Chk#	039109	R&R CLEANING CONTRACTORS,	11/15/2018	\$139.05 Rugs
Paid Chk#	039110	RDO EQUIPMENT CO.	11/15/2018	\$35.78 PW - Fleet Maint & Equip
Paid Chk#	039111	ALAN ROLEK	11/15/2018	\$73.03 Mileage 10/23/18
Paid Chk#	039112	SAFETY-KLEEN SYSTEMS, INC.	11/15/2018	\$168.88 PW - Fleet Maint & Equip
Paid Chk#	039113	SCHAEFFER MFG. CO.	11/15/2018	\$1,350.95 PW - Fleet Maint & Equip
Paid Chk#	039114	SCOTT COUNTY RECORDER	11/15/2018	\$46.00 F17-18 Encroachment Agmt Recor
Paid Chk#	039115	SHERWIN-WILLIAMS	11/15/2018	\$46.16 PW - Fleet Maint & Equip
Paid Chk#	039116	SUEL PRINTING COMPANY	11/15/2018	\$696.50 Legal Ads
Paid Chk#	039117	MIKE SUTTON	11/15/2018	\$43.10 Halloween Party Reimbursement
Paid Chk#	039118	THE GARAGE DOOR DOCTOR	11/15/2018	\$751.30 Frasson Variance - Escrow Rele
Paid Chk#	039119	TOLL GAS & WELDING SUPPLY	11/15/2018	\$225.00 PW - Operating Supplies
Paid Chk#	039120	UNITED STATES POSTAL SVC	11/15/2018	\$225.00 Permit #14 Annual Fee
Paid Chk#	039121	VAN EPPS, SUSAN	11/15/2018	\$157.14 Utility Billing Credit Refund
Paid Chk#	039122	SPLIT ROCK MANAGEMENT INC	11/15/2018	\$845.00 LIBRARY CLEANING
Paid Chk#	039123	XEROX CORPORATION	11/15/2018	\$454.45 Copier
		Total Checks		\$124,057.62
DIRECT DEPOSIT				
Paid Chk#	502068E	Bi-Weekly ACH	11/1/2018	\$27,105.49
Paid Chk#	502087E	Bi-Weekly ACH	11/15/2018	\$27,431.33
		Total Checks		\$54,536.82



STAFF MEMORANDUM

SUBJECT:	Canvassing Returns of Votes for the City of Elko New Market General Election
MEETING DATE:	November 15, 2018
PREPARED BY:	Sandra Green, City Clerk
REQUESTED ACTION:	Adopt Resolution 18-69 Canvassing Returns of Votes of the City of Elko New Market General Election

COMMUNITY VISION:

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COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

Pursuant to Minn. Stat. § 205.185, the City is required to canvass election returns and declare the results of the city election within ten days after the election. The City Clerk is required to certify the results of the election to the County Auditor. The City Council is asked to review and adopt a resolution authorizing the City Clerk to certify the results of the 2018 City General Election and issue a certificate of election to each successful candidate.

DISCUSSION

The 2018 City General Election was held on November 6, 2018. The Council is being asked to adopt Resolution 18-69 Canvassing Return of Votes to the City of Elko New Market General Election.

Attachment:

Resolution 18-69 Canvassing Return of Votes to the City of Elko New Market General Election

CITY OF ELKO NEW MARKET
SCOTT COUNTY, MINNESOTA

RESOLUTION NO. 18-69

**RESOLUTION CANVASSING RETURNS OF VOTES OF THE CITY OF
ELKO NEW MARKET GENERAL ELECTION**

WHEREAS, pursuant to Minn. Stat. § 205.185, the City of Elko New Market is required to canvass election returns and declare the results of a city election within ten days after the election;

WHEREAS, on November 6, 2018, an election for the offices of the Mayor, two City Council positions and a Special Election for one City Council position was held.

WHEREAS, the Council has canvassed the results.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elko New Market, Minnesota, as follows:

1. A total of 2003 valid ballots were cast in the election held November 6, 2018. A total of 14 ballots were spoiled or defective.

2. The results of the election for city offices are as follows:

Mayor:	Joe Julius	1061
	Bob Crawford	797
	Write Ins	8
	Over Votes	1
	Under Votes	<u>118</u>
	Total	1985
Council (4 Year Term):	Josh Berg	1146
	Katie Timmerman	1184
	Write Ins	21
	Over Votes	2
	Under Votes	<u>1494</u>
	Total	3847
Council (Special Election):	Dawn Seepersaud	884
	Jon Schwichtenberg	694
	Write Ins	6
	Over Votes	1
	Under Votes	<u>381</u>
	Total	1966

3. The following candidates, having received the highest number of votes, have been elected:

Mayor:	Joe Julius
Council (4 Year Term):	Josh Berg Katie Timmerman
Special Election:	Dawn Seepersaud

4. The City Clerk is hereby authorized to certify the results to the county auditor and issue a certificate of election to each successful candidate.

PASSED AND DULY ADOPTED by the City Council of the City of Elko New Market this 15th day of November 2018.

CITY OF ELKO NEW MARKET

Robert Crawford, Mayor

ATTEST:

Sandra Green, City Clerk



STAFF MEMORANDUM

SUBJECT: Appoint of Interim Chief Law Enforcement Officer (CLEO)
MEETING DATE: November 15, 2018
PREPARED BY: Thomas Terry, City Administrator
REQUESTED ACTION: 1. Appoint Officer Craig Bell as the Police Department's Chief Law Enforcement Officer and assign responsibility for the operations of the Department under the supervision and guidance of the City Administrator, effective December 1, 2018 until such time that a permanent replacement for this position is appointed by the City Council.
2. Authorize an additional monthly salary stipend of \$400 during the interim period.

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

As the Mayor & City Council are aware, Police Chief Steve Mortenson has submitted his letter of resignation to the City. He is retiring from law enforcement and his last day of employment with the city is November 30, 2018. After this date, the Police Department would not have a Chief Law Enforcement Officer (CLEO.)

The MN POST Board, which is the governing body over all MN police officers licenses and is also the regulatory board over all law enforcement agencies in Minnesota, requires that any law enforcement agency shall have a CLEO for that agency. The CLEO is responsible for maintaining POST mandated policies & procedures (14 of them), mandated reporting of specific crimes and incidents including: bias crimes, police pursuits, officer involved shootings, specific annual police officer mandated training requirements and alleged police officer misconduct during the calendar year. Due to these mandates, the City needs to appoint an interim CLEO.

DISCUSSION:

After consulting with the Chief of Police, the City Administrator is recommending that Officer Craig Bell be assigned as the Police Department's Chief Law Enforcement Officer and assigned responsibility for the operations of the Department under the supervision and guidance of the City Administrator, effective December 1, 2018 until such time that a permanent replacement for the Chief of Police position is appointed by the City Council.

Officer Craig Bell is the most senior officer in the Department and has ten years of experience as an officer. He has been working as an Elko New Market Police Officer for over eight years and is currently the lead Field Training Officer for the Department. In the past, he has been assigned as "Officer in Charge" when Chief Mortenson has been out of the office for an extended period of time.

Officer Craig Bell has completed all of the required Emergency Management classes and certified as an Emergency Manager in the State of Minnesota. He has also completed certification in First Line Supervision, training conducted by the MN Bureau of Criminal Apprehension, having only two more classes to complete before receiving certification in Senior Management.

During his tenure with the Department, he has assisted Chief Mortenson with ensuring officers are completing mandated annual training, updating the department's policy & procedure manual as well as the department's field training manual. Officer Bell is very familiar with the Department's Mission & Vision and the Department's adopted Community Value Based Policing Philosophy.

The City Administrator is also recommending that the City Council authorize an additional monthly salary stipend of \$400 for Officer Bell during the interim period.

BUDGET IMPACT:

Additional salary impact of \$400 per month, however, this will be offset by the reduced salary expense for the vacant Policer Chief position.



STAFF MEMORANDUM

SUBJECT:	Authorize Hire of Deputy City Clerk
MEETING DATE:	November 15, 2018
PREPARED BY:	Mark Nagel, Assistant City Administrator
REQUESTED ACTION:	City Council Approval of Deputy City Clerk Job Description and Authorize the City Administrator to Hire for the Position

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND/DISCUSSION:

With the retirement of City Clerk Sandra Green, effective December 14, 2018, a vacancy will be created for the City Clerk position. With other likely retirements within the foreseeable future, staff revisited the staffing structure of Administration within a long term view context in order to make a recommendation regarding the vacancy. In making the recommendation, staff considered the following factors:

- The specialized nature of the position
- The scope of duties and responsibilities of the current job description
- Current and future labor pools
- The likelihood of having to “grow” staff internally
- Flexibility to adjust for changing needs and abilities/aptitudes of employees
- Employee retention and longevity
- Long term stability of administration staff

Staff is recommending the hire of a Deputy Clerk to fill the vacancy created by the retirement of the City Clerk. The City Council is being asked to approve the job description and authorize the City Administrator to hire the position.

Staff has developed a job description for the Deputy City Clerk position. While the position is still engaged in many of the core Clerk duties, some of the scope of discretion and authority has been reduced. Specific responsibilities related to payroll and budgeting/budget management and human resources were reduced or removed as compared to the City Clerk. Using the Class Evaluation System Manual from Springsted, Inc for guidance in grading the position has resulted a score of 195 points or Grade 7.

BUDGET IMPACT:

The difference between the starting salaries of the City Clerk and Deputy City Clerk positions based on the proposed 2019 Salary Schedule is approximately \$14,000.

ATTACHMENTS:

Deputy City Clerk Job Description.

DEPUTY CLERK

Department: Administration

FLSA Status: Non-Exempt

Work Status: Full-time

Purpose

Performs intermediate administrative work recordkeeping, licensing and permitting, assisting with city elections, assisting with city computers and network system, assisting other City staff as needed, and related work as apparent or assigned. Work is performed under the supervision of the City Administrator. Work involves the handling of confidential information.

Communicates with:

- *Internally* – Police department employees, city employees and City Council;
- *Externally* – Other local, state and federal agencies, consultants, and the general public.

ESSENTIAL FUNCTIONS - *To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individual with disabilities to perform the essential functions.*

Attends City Council Meetings and responsible for meeting minutes; arranges notice of special City Council Meetings; oversees the preparation of City Council packets.

Manages City's risk insurance records and issues; reports insurance losses; manages Worker's Compensation claims.

Co-signs checks, agreements, contracts, and legal documents.

Oversees, maintains records, and administers the issuance and renewal of liquor and general business licenses and permits.

Manages the election process, including processing filings for office and preparing budget; recruits and trains election judges; supervises election process including testing machines and calculating ballot tabulations; processes absentee ballot applications.

Greeting the public, determining the nature of their business, answering calls, directing calls or messages to the proper person.

Handles processes confidential information and materials.

Serves on various City Committees, as directed by the City Administrator.

Prepares and types correspondence, reports, memos, letters, and ordinances.

Assists in the creation and maintenance of records on ordinances, resolutions, licenses, and permits and administration of city policies and procedures; prepares legal notices and publishes notices as required; and administers data practice requests.

Researches information and completes special projects for the city.

Receives requests, complaints and information from the public and responds to complaints or transmits it to staff and/or Council.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.

DEPUTY CLERK

Performs general filing, and creates forms and reports for city.

Operates computer, copier, telephone, fax machine, postage meter, calculator and other necessary office equipment provided to perform duties.

Supports principals of city's community-oriented government philosophy.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

Moderate knowledge of standard office and accounting computer software applications; knowledge and ability to use standard office equipment; moderate knowledge of city ordinances, resolutions, and policies; thorough knowledge of local elections operations; thorough knowledge of internal controls; ability to make arithmetic computations using whole numbers, fractions and decimals; ability to compute rates, ratios and percentages; ability to demonstrate proficiency in grammar, spelling, and basic math; ability to work independently; prioritize work; research files; and solve problems; ability to present a positive, professional image to the public; ability to communicate effectively, both orally and in writing; ability to establish effective work relationships with other city staff, elected officials and the general public.

MINIMUM REQUIREMENTS

High school diploma or GED and a minimum of three (3) years' experience working as a clerk, deputy clerk, administrative assistant, office manager or comparable position which included performing similar job duties as listed in this job description.

WORKING CONDITIONS

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires sitting, speaking or hearing, using hands to finger, handle or feel and repetitive motions and occasionally requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

SPECIAL REQUIREMENTS

Valid driver's license in the State of Minnesota.



STAFF MEMORANDUM

SUBJECT:	2019 Elko New Market Benefits Plan Update
MEETING DATE:	November 15, 2018
PREPARED BY:	Mark Nagel, Assistant City Administrator
REQUESTED ACTION:	Approve the renewal of benefits with current carriers, HealthPartners, Delta Dental, Sun Life and Assurant, automatically on January 1, 2019.

COMMUNITY VISION:

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COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

The provision of health care benefits has continued to evolve over the past few years with the implementation of the Affordable Health Care Act. Staff, with the help of the City's benefits broker, Andy Weitnauer of Financial Concepts, continues to evaluate the potential impacts of the numerous new rules for health care on our employee benefits package for 2019 and beyond. With that in mind, the purpose of this memo is to provide summary of the renewals for the City's 2019 Employee Benefits package.

After careful evaluation and comparison of options, Staff and the City's benefits broker, Financial Concepts, is recommending remaining with the City's current benefits providers for Medical, Dental, Life Insurance, and Short and Long-Term Disability Insurance, as they provide the best, most cost effective option for the City and the employees.

DISCUSSION

As it is every year, there are "good news, bad news" aspects to the City's Employee Benefits package. First, the "good news" - there were NO increases for 2019 for Dental Insurance from the City's carrier, Delta Dental. Continuing with the good news, the Short-Term Disability costs will be up only \$331.92 in 2019 over 2018 from City's carrier, Sun Life; the Long-Term Disability costs from the City's carrier, Sun Life, will be up only a total of \$654.36 in 2019 over the 2018 rates; and Life and Accidental Death/Disability Insurance costs proposed by the City's carrier, Sun Life, will NOT increase in 2019 over 2018 costs.

However, the "bad" news" is that there is an increase in the recommended provider HealthPartners rates for medical insurance for the City and employees in 2018. The premiums are increasing by an annual total of \$11,066, or 9.28%, over 2018 for current employees – still, this is lower than the \$16,904.03, or 16.87%, last year. It could've been worse – switching to Medica would've resulted in a 17.10% increase and Blue Cross/Blue Shield would've resulted in an increase of 14.39%. PreferredOne had a slightly lower cost of about \$2,250 for the year, but administrative costs to make the changeover would have been greater than that amount, plus the customer service from Health Partners has been excellent, so the recommendation is to remain with the current provider HealthPartners.

As a comparison with similar cities, some are seeing up to a 30% increase, as the health care market continues to adjust to the Affordable Health Care Act. Since the city pays 100% of the single coverage premium and 85% of the family coverage for employees, those employees with family coverage will see a proportional increase in their premium.

Taken as a whole, and including premiums for new positions for 2019, the current allocation for benefits is slightly below the amounts estimated for this purpose in the 2019 Preliminary Budget. Staff will keep you updated as needed on these impacts on the entire employee benefits package.

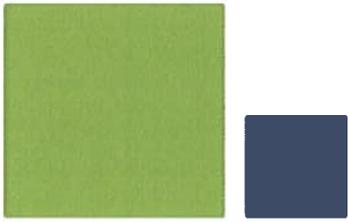
Assuming approval of the Benefits package by City Council, Mr. Weitnauer of Financial Concepts will be meeting with employees on Wednesday, December 6th to review the Benefits packages.

REQUESTED CITY COUNCIL ACTION ACTION:

Approve the 2019 Employee Benefits package, as presented in the Financial Benefits 2019 Renewal Book.

Attachment:

Financial Concepts 2019 Benefits Renewal Book



**2019 RENEWAL BOOK
CITY OF ELKO NEW MARKET
OCTOBER 15, 2018**



Table of Contents

Page 1	Medical Renewal
Page 4	Dental Renewal
Page 5	Life and Disability Renewals
Page 9	Strategic Timeline



CITY OF ELKO NEW MARKET
 JANUARY 1, 2019 MEDICAL RENEWAL

Ages as of 1/1/2019	Ages			CURRENT			RENEWAL			ALT_1			ALT_2			ALT_3		
				HealthPartners			HealthPartners			Blue Cross and Blue Shield of MN			Medica			PreferredOne		
				Open Access HSA Gold 2000-100			HP SE Open Access HSA Gold 2000-100			BlueAccess HSA Gold \$2200 Plan 653			Medica Choice Passport MN 2000-0% HSA Gold			G PIC 2000-100 HSA Complete		
Name	EE	SP	CH	EE	SP	CH	EE	SP	CH	EE	SP	CH	EE	SP	CH	EE	SP	CH
Sandra Green	68	-		\$1,017.75	-	-	\$1,089.21	-	-	\$1,140.18	-	-	\$1,167.21	-	-	\$1,070.56	-	-
Payton Hill	21	-		\$301.93	-	-	\$363.07	-	-	\$380.06	-	-	\$389.07	-	-	\$356.97	-	-
Stephanie Schultz	48	-		\$530.25	-	-	\$593.62	-	-	\$621.39	-	-	\$636.12	-	-	\$583.65	-	-
Melissa Wirtz	33	-		\$401.33	-	-	\$434.96	-	-	\$455.31	-	-	\$466.10	-	-	\$427.65	-	-
Craig Bell	47	50	1	\$508.88	\$578.76	\$301.93	\$567.48	\$648.44	\$323.13	\$594.03	\$678.78	\$338.25	\$608.11	\$694.87	\$346.27	\$557.95	\$637.55	\$317.71
Renee Christianson	49	-	2	\$554.67	-	\$678.50	\$619.40	-	\$727.59	\$648.37	-	\$761.64	\$663.75	-	\$779.69	\$608.99	-	\$715.37
Martin Deutsch	56	51		\$756.53	\$605.90	-	\$847.04	\$677.13	-	\$886.67	\$708.80	-	\$907.69	\$725.61	-	\$832.82	\$665.75	-
Joseph Fitterer	32	-	1	\$401.33	-	\$301.93	\$429.51	-	\$323.13	\$449.61	-	\$338.25	\$460.26	-	\$346.27	\$422.30	-	\$317.71
Joshua Gareis	37	38	3	\$417.28	\$419.99	\$905.79	\$449.48	\$452.39	\$969.39	\$470.51	\$473.55	\$1,014.75	\$481.66	\$484.78	\$1,038.81	\$441.93	\$444.79	\$953.13
Corey Schweich	38	38	2	\$419.99	\$419.99	\$603.86	\$452.39	\$452.39	\$646.26	\$473.55	\$473.55	\$676.50	\$484.78	\$484.78	\$692.54	\$444.79	\$444.79	\$635.42
				\$5,309.94	\$2,024.64	\$2,792.01	\$5,846.16	\$2,230.35	\$2,989.50	\$6,119.68	\$2,334.68	\$3,129.39	\$6,264.75	\$2,390.04	\$3,203.58	\$5,747.61	\$2,192.88	\$2,939.34
Monthly Total:				\$10,126.59			\$11,066.01			\$11,583.75			\$11,858.37			\$10,879.83		
Annual Total:				\$121,519.08			\$132,792.12			\$139,005.00			\$142,300.44			\$130,557.96		
Monthly Change Over Current:				N/A			\$939.42			\$1,457.16			\$1,731.78			\$753.24		
Annual Change Over Current:				N/A			\$11,273.04			\$17,485.92			\$20,781.36			\$9,038.88		
% Change Over Current:				N/A			9.28%			14.39%			17.10%			7.44%		

This is not meant to be a complete plan description. This is a summary meant only for illustrative purposes and is not a guarantee of current or future benefits. Consult the plan booklet or vendor proposal for exact details.

CITY OF ELKO NEW MARKET
 JANUARY 1, 2019 MEDICAL RENEWAL

	Current	Renewal	Alt. 1	Alt. 2	Alt. 3
	HealthPartners Open Access HSA Gold 2000-100	HealthPartners HP SE Open Access HSA Gold 2000-100	Blue Cross and Blue Shield of MN BlueAccess HSA Gold \$2200 Plan 653	Medica Medica Choice Passport MN 2000-0% HSA Gold	PreferredOne G.PIC.2000.100.HSA Complete
Cost					
Total Monthly Premium	\$10,126.59	\$11,066.01	\$11,583.75	\$11,858.37	\$10,879.83
Benefit Highlights					
Metal Level	Gold	Gold	Gold	Gold	Gold
Network	Open Access	Open Access	Aware	Choice Passport	Complete
Deductible					
Individual (per cal year)	\$2,000	\$2,000	\$2,200	\$2,000	\$2,000
Family (per cal year)	\$4,000	\$4,000	\$4,400	\$3,600	\$4,000
Embedded	No	No	No	No	No
Maximum Out-Of-Pocket					
Individual (per cal year)	\$2,000	\$2,000	\$2,200	\$2,000	\$2,000
Family (per cal year)	\$4,000	\$4,000	\$4,400	\$3,600	\$4,000
Embedded	No	No	No	No	No
Office Visits					
Preventive Care Services	No charge	No Charge	No Charge	No charge	No Charge
Primary Visit	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% co-insurance after deductible
Convenience Care or E-Visits	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% co-insurance after deductible
Urgent Care	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% co-insurance after deductible
Specialty Visit	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% co-insurance after deductible
Emergency Room					
Diagnostics	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% co-insurance after deductible
Prescription Drug Coverage					
Generic - Tier I	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% after deductible
Preferred Brand - Tier II	0% coinsurance	0% coinsurance	0% after deductible	0% co-insurance after deductible	0% after deductible
Non-Preferred Brand - Tier III	Not Covered	Not Covered	0% after deductible	0% co-insurance after deductible	0% after deductible
Specialty Drugs - Tier IV	0% coinsurance	0% coinsurance	0% after deductible	Preferred/ 0% co-insurance after deductible. Non-Pref./ 0% co-insurance after deductible.	0% after deductible

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CITY OF ELKO NEW MARKET
 JANUARY 1, 2019 MEDICAL RENEWAL

Ages as of 1/1/2019	Ages			CURRENT			RENEWAL			ALT. 1			ALT. 1		
				HealthPartners			HealthPartners			HealthPartners			HealthPartners		
				Open Access HSA Gold 2000-100			HP SE Open Access HSA Gold 2000-100			HP SE Open Access HSA Gold 2500-100			HP SE Achieve HSA Gold 2000-100		
Name	EE	SP	CH	EE	SP	CH	EE	SP	CH	EE	SP	CH	EE	SP	CH
Sandra Green	68	-		\$1,017.75	-	-	\$1,089.21	-	-	\$1,037.43	-	-	\$994.02	-	-
Payton Hill	21	-		\$301.93	-	-	\$363.07	-	-	\$345.81	-	-	\$331.34	-	-
Stephanie Schultz	48	-		\$530.25	-	-	\$593.62	-	-	\$565.40	-	-	\$541.74	-	-
Melissa Wirtz	33	-		\$401.33	-	-	\$434.96	-	-	\$414.28	-	-	\$396.95	-	-
Craig Bell	47	50	1	\$508.88	\$578.76	\$301.93	\$567.48	\$648.44	\$323.13	\$540.50	\$617.62	\$307.77	\$517.88	\$591.77	\$294.89
Renee Christianson	49	-	2	\$554.67	-	\$678.50	\$619.40	-	\$727.59	\$589.95	-	\$693.00	\$565.27	-	\$664.01
Martin Deutsch	56	51		\$756.53	\$605.90	-	\$847.04	\$677.13	-	\$806.77	\$644.94	-	\$773.02	\$617.95	-
Joseph Fitterer	32	-	1	\$401.33	-	\$301.93	\$429.51	-	\$323.13	\$409.09	-	\$307.77	\$391.98	-	\$294.89
Joshua Gareis	37	38	3	\$417.28	\$419.99	\$905.79	\$449.48	\$452.39	\$969.39	\$428.11	\$430.88	\$923.31	\$410.20	\$412.85	\$884.67
Corey Schweich	38	38	2	\$419.99	\$419.99	\$603.86	\$452.39	\$452.39	\$646.26	\$430.88	\$430.88	\$615.54	\$412.85	\$412.85	\$589.78
				\$5,309.94	\$2,024.64	\$2,792.01	\$5,846.16	\$2,230.35	\$2,989.50	\$5,568.22	\$2,124.32	\$2,847.39	\$5,335.25	\$2,035.42	\$2,728.24
Monthly Total:				\$10,126.59			\$11,066.01			\$10,539.93			\$10,098.91		
Annual Total:				\$121,519.08			\$132,792.12			\$126,479.16			\$121,186.92		
Monthly Change Over Current:				N/A			\$939.42			-\$413.34			-\$27.68		
Annual Change Over Current:				N/A			\$11,273.04			\$4,960.08			-\$332.16		
% Change Over Current:				N/A			9.28%			4.08%			-0.27%		

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CITY OF ELKO NEW MARKET
 JANUARY 1, 2019 MEDICAL RENEWAL

	Current	Renewal	Alt. 4	Alt. 4
	HealthPartners	HealthPartners	HealthPartners	HealthPartners
	Open Access HSA Gold 2000-100	HP SE Open Access HSA Gold 2000-100	HP SE Open Access HSA Gold 2500-100	HP SE Achieve HSA Gold 2000-100
Cost				
Total Monthly Premium	\$10,126.59	\$11,066.01	\$10,539.93	\$0.00
Benefit Highlights				
Metal Level	Gold	Gold	Gold	Gold
Network	Open Access	Open Access	Open Access	Achieve
Deductible				
Individual (per cal year)	\$2,000	\$2,000	\$2,500	\$2,000
Family (per cal year)	\$4,000	\$4,000	\$5,000	\$4,000
Embedded	No	No	No	No
Maximum Out-Of-Pocket				
Individual (per cal year)	\$2,000	\$2,000	\$2,500	\$2,000
Family (per cal year)	\$4,000	\$4,000	\$5,000	\$4,000
Embedded	No	No	No	No
Office Visits				
Preventive Care Services	No charge	No Charge	No Charge	No Charge
Primary Visit	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Convenience Care or E-Visits	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Urgent Care	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Specialty Visit	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Emergency Room				
Diagnostics	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Prescription Drug Coverage				
Generic - Tier I	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Preferred Brand - Tier II	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance
Non-Preferred Brand - Tier III	Not Covered	Not Covered	Not Covered	Not Covered
Specialty Drugs - Tier IV	0% coinsurance	0% coinsurance	0% coinsurance	0% coinsurance

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Your HP SE Open Access HSA Gold 2000-100 with the Open Access network will be renewed, unless we hear from you prior to 12/01/2018

Group Name: City of Elko New Market
 Group Number: 33433
 Renewal Plan: HP SE Open Access HSA Gold 2000-100
 Renewal Rate Area: MN-8

Renewal Date: 01/01/2019
 Renewal Network: Open Access
 County: Scott

Renewal Monthly Rate

Age	Renewal Rate
0-17	\$323.13
18	\$323.13
19	\$323.13
20	\$323.13
21	\$363.07
22	\$363.07
23	\$363.07
24	\$363.07
25	\$364.52
26	\$371.78
27	\$380.50
28	\$394.66
29	\$406.28
30	\$412.08
31	\$420.80
32	\$429.51
33	\$434.96
34	\$440.77
35	\$443.67
36	\$446.58
37	\$449.48
38	\$452.39
39	\$458.19
40	\$464.00
41	\$472.72

Age	Renewal Rate
42	\$481.07
43	\$492.69
44	\$507.21
45	\$524.27
46	\$544.61
47	\$567.48
48	\$593.62
49	\$619.40
50	\$648.44
51	\$677.13
52	\$708.71
53	\$740.66
54	\$775.15
55	\$809.65
56	\$847.04
57	\$884.80
58	\$925.10
59	\$945.07
60	\$985.37
61	\$1,020.23
62	\$1,043.10
63	\$1,071.78
64	\$1,089.21
65-115	\$1,089.21

Rating Requirements and Provisions

- In accordance with ACA regulations, HealthPartners charges premiums for up to three dependents under age 21, regardless of family size.
- Upon renewal, premiums for members ages 21 through 64 will be adjusted for age, calculated as the age at renewal.
- 75% participation after eligible waivers.
- Employer will contribute a minimum of 50% of the single premium
- This renewal of coverage is made with the understanding that the employer qualifies as a small employer under state and federal law. Should information be received that proves the employer is not a small employer, or if there are demographic changes that affect participation, the offer becomes null and void and HealthPartners reserves the right to re-evaluate this proposal to the extent permissible under state and federal law.

CITY OF ELKO NEW MARKET
HSA Contribution Limits

	2015 IRS Limits	2016 IRS Limits	2017 IRS Limits	2018 IRS Limits	2019 IRS Limits
Annual Contribution Limits					
Annual Contribution Maximum - Single	\$3,350	\$3,350	\$3,400	\$3,450	\$3,500
Annual Contribution Maximum - Family	\$6,650	\$6,750	\$6,750	\$6,900	\$7,000
Annual Catch-up Contribution Limit (For age 55+ only)	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000

CITY OF ELKO NEW MARKET
JANUARY 1, 2019 RENEWAL | DENTAL

Benefit Description	Current/Renewal Delta Dental Millenium Choice Standard		
	PPO	Plan I Premier/Out of Network	Plan II Premier/Out of Network
	Preventive Services	100%	80%
Basic Services	90%	50%	80%
Oral Surgery			
Simple Extractions	100%	50%	80%
Surgical Extractions	80%	80%	80%
Endodontics	80%	50%	50%
Periodontics (Surgical and Non-Surgical)	80%	50%	50%
Major Services	50%	50%	50%
Calendar Year Maximum	\$2,000	\$2,000	\$1,000
Calendar Year Deductible	None	\$25/\$75	\$50/\$150
Waived for Preventive	Yes	Yes	Yes
Orthodontics	N/A	N/A	N/A
COST SCHEDULE			
		Current	Renewal
Single:	4	\$42.00	\$42.00
Single + 1:	4	\$81.05	\$81.05
Family:	3	\$110.65	\$110.65
Monthly Total:		\$824.15	\$824.15
Annual Total:		\$9,889.80	\$9,889.80
Percentage Increase		NA	0.0%
Rate Gurantee Through:		12/31/2018	12/31/2019

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CITY OF ELKO NEW MARKET
JANUARY 1, 2019 | BASE LIFE & AD&D

Schedule of Benefits	Current Sun Life	Renewal Sun Life
Life Benefit	\$15,000	\$15,000
AD&D Benefit	\$15,000	\$15,000
Requires Evidence of Insurability	No	No
Age-Based Benefit Reduction	None	None
Retirement:	Coverage Terminates	Coverage Terminates
COST SCHEDULE		
Rate per \$1000	\$0.340	\$0.340
<u>AD&D Rate per \$1000</u>	<u>\$0.050</u>	<u>\$0.050</u>
Total	\$0.390	\$0.390
Monthly Premium	\$64.35	\$64.35
Annual Premium	\$772.20	\$772.20
Annual change over current	N/A	\$0.00
Percent change over current	N/A	0.0%
Rate Guarantee Through:	12/31/2018	12/31/2019
Estimated EE Life Volume	\$165,000.00	\$165,000.00

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CITY OF ELKO NEW MARKET

JANUARY 1, 2019 RENEWAL I SUPPLEMENTAL

Benefit Description	Current / Renewal Sun Life	
Employee Guarantee Issue Limit	\$100,000	
Employee Maximum Benefit	Units of \$10,000 up to Lessor of 5x Annual Earnings or \$500,000	
Requires Evidence of Insurability	Yes, for amounts over \$100,000	
Age-Based Benefit Reduction Schedule	To 67% at Age 70 To 67% of in force amount at Age 75	
COST SCHEDULE	Sun Life	
Age	Employee	Spouse
< 20:	\$0.104	\$0.104
20-24:	\$0.104	\$0.104
25-29:	\$0.104	\$0.104
30-34:	\$0.104	\$0.104
35-39:	\$0.144	\$0.104
40-44:	\$0.235	\$0.136
45-49:	\$0.365	\$0.261
50-54:	\$0.639	\$0.386
55-59:	\$1.161	\$0.668
60-64:	\$1.566	\$0.856
65-69:	\$3.719	\$1.639
70+:	\$6.525	\$1.639
AD&D Rate	\$0.030	
Rate Guarantee Through	12/31/2019	

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CITY OF ELKO NEW MARKET

JANUARY 1, 2019 RENEWAL | LONG TERM DISABILITY

	Current	Renewal
	Sun Life	
Elimination Period	90 days	90 days
Benefit Percentage	60.00%	60.00%
Monthly Maximum Benefit	\$5,000	\$5,000
Benefit Duration	SSNRA	SSNRA
Definition of Disability	Residual	Residual
Own Occupation Limitation	24 Months	24 Months
Mental Illness Limitation	24 Months	24 Months
Alcohol / Drug Limitation	24 Months	24 Months
Pre-existing Limitation	6/6/24	6/6/24
Survivor Benefit	3 Months	3 Months
Taxable Benefit	Yes	Yes
COST SCHEDULE	Current	Renewal
Rate Per \$100 C.M.E.	\$0.60	\$0.68
Monthly Premium	\$408.97	\$463.50
Annual Premium	\$4,907.66	\$5,562.02
Annual change over current	N/A	\$654.36
Percent change over current	N/A	13.3%
Rate Guarantee Through	12/31/2018	12/31/2019
VOLUME	\$68,162.00	\$68,162.00

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CITY OF ELKO NEW MARKET

JANUARY 1, 2019 RENEWAL I SHORT TERM DISABILITY

	Current	Renewal
	Sun Life	
Benefit Percentage	60.00%	60.00%
Maximum Weekly Benefit	\$1,000	\$1,000
Elimination Period	14 days	14 days
Benefit Duration	11 weeks (to LTD Benefit)	11 weeks (to LTD Benefit)
Definition of Disability	Extended own occupation with residual	Extended own occupation with residual
Own Occupation Limitation	Full Benefit	Full Benefit
Pre-existing Limitation	3/6	3/6
Taxable Benefit	Yes	Yes
COST SCHEDULE	Current / Renewal	
Rate per \$10 of Weekly Benefit	\$0.36	\$0.39
Monthly Premium	\$331.92	\$359.58
Annual Premium	\$3,983.04	\$4,314.96
Annual Premium Increase	N/A	\$331.92
Percentage Increase	N/A	8.33%
VOLUME	\$9,220.00	\$9,220.00
Rate Guarantee Through	12/31/2018	12/31/2019

This is not meant to be a complete plan description. This is a summary meant only for illustrative purposes and is not a guarantee of current or future benefits. Consult the plan booklet or vendor proposal for exact details.

CITY OF ELKO NEW MARKET STRATEGIC TIMELINE

Careful strategic planning includes ongoing evaluation of your plan's characteristics to ensure a comprehensive and competitive benefit package is offered to your employees. We approach strategic planning by defining your objectives and developing an organized action plan based on meeting those objectives.

Action Item	Date	Responsibility
1. Renewal		
- Communicate initial renewal numbers	October 15, 2018	NFP/ENM
- Discuss alternative options	October 15, 2018	NFP/ENM
- Make Final Decisions	November 1, 2018	ENM
2. Employee Education		
- Develop education strategy	November	NFP/ENM
- Conduct employee meeting(s)	November	NFP/ENM
3. Open Enrollment		
- Monitor timely enrollment and card distribution with the carrier	December	NFP
4. Post-Renewal		
- Discuss timeline and upcoming objectives	February	NFP/ENM
5. Pre-Renewal		
- Discuss renewal objectives and conduct benefits compliance audit	August	NFP/ENM



STAFF MEMORANDUM

SUBJECT:	2019 Salary Schedules and COLA Adjustment for Non-Union Employees
MEETING DATE:	December 6, 2018
PREPARED BY:	Thomas Terry, City Administrator
REQUESTED ACTION:	<ol style="list-style-type: none">1. Approve the 2019 Salary Schedule2. Approve the 2019 Salary Schedule – Seasonal Employees3. Approve hourly pay rate of \$12.16 for Firefighters, payable 20194. Approve a 3.0% COLA increase to the employer HSA contribution for eligible non-union employees.

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

The City Council annually adopts the Salary Schedules for Regular and Seasonal Employees, pay for Firefighters, as well as changes to the City's contribution to employee's Health Savings Accounts (HSA). The salary and HSA adjustments reflect an annual Cost of Living Adjustment (COLA) determined by the City Council. The City Council has historically applied the COLA that has been negotiated in the City's Labor Agreements to non-union employees.

DISCUSSION

City Staff has negotiated a 3.0% COLA increase for 2019 with the IUOE Local 49. Agreement has received Council approval. Staff is recommending the same COLA adjustment to the overall salary schedule and employer HSA contribution.

The 2019 Salary Schedule and Salary Schedule – Seasonal Employees presented to the City Council for consideration reflect the 3.0% COLA. The Council is also being asked to consider an hourly pay rate of \$12.16 for firefighters, which reflects the 3.0% COLA adjustment. The current hourly rate for pay for firefighters is \$11.81 per hour.

Attachment:

2019 Salary Schedule

2019 Salary Schedule – Seasonal Employees

**Salary Schedule
2019**

% Between Grades:

7.00%

 % Between Steps:

3.00%

 Range 22.99%

Pts	Grade	Step																
		1		2		3		4		5		6		7		8		
		Annual	Hourly															
0 -	44	1	31,883.76	15.33	32,840.27	15.79	33,825.48	16.26	34,840.24	16.75	35,885.45	17.25	36,962.02	17.77	38,070.88	18.30	39,213.00	18.85
45 -	67	2	34,115.62	16.40	35,139.09	16.89	36,193.27	17.40	37,279.07	17.92	38,397.44	18.46	39,549.35	19.01	40,735.83	19.58	41,957.91	20.17
68 -	92	3	36,503.72	17.55	37,598.83	18.08	38,726.79	18.62	39,888.59	19.18	41,085.25	19.75	42,317.82	20.35	43,587.34	20.96	44,894.97	21.58
93 -	117	4	39,058.98	18.78	40,230.74	19.34	41,437.67	19.92	42,680.80	20.52	43,961.22	21.14	45,280.06	21.77	46,638.46	22.42	48,037.62	23.10
118 -	144	5	41,793.11	20.09	43,046.90	20.70	44,338.30	21.32	45,668.46	21.96	46,229.49	22.23	48,449.67	23.29	49,903.15	23.99	51,400.25	24.71
145 -	173	6	44,718.62	21.50	46,060.19	22.14	47,441.99	22.81	48,865.25	23.49	50,331.20	24.20	51,841.14	24.92	53,396.37	25.67	54,998.26	26.44
174 -	204	7	47,848.93	23.00	49,284.39	23.69	50,762.93	24.41	52,285.81	25.14	53,854.39	25.89	55,470.02	26.67	57,134.12	27.47	58,848.15	28.29
205 -	237	8	51,198.35	24.61	52,734.30	25.35	54,316.33	26.11	55,945.82	26.90	57,624.19	27.70	59,352.92	28.54	61,133.50	29.39	62,967.52	30.27
238 -	272	9	54,782.23	26.34	56,425.71	27.13	58,118.48	27.94	59,862.03	28.78	61,657.89	29.64	63,507.63	30.53	65,412.86	31.45	67,375.24	32.39
273 -	309	10	58,616.99	28.18	60,375.50	29.03	62,186.77	29.90	64,052.36	30.79	65,973.94	31.72	67,953.16	32.67	69,991.76	33.65	72,091.51	34.66
310 -	349	11	62,720.19	30.15	64,601.78	31.06	66,539.84	31.99	68,536.03	32.95	70,592.12	33.94	72,709.88	34.96	74,891.17	36.01	77,137.91	37.09
350 -	392	12	67,110.59	32.26	69,123.92	33.23	71,197.62	34.23	73,333.55	35.26	75,533.56	36.31	77,799.57	37.40	80,133.56	38.53	82,537.56	39.68
393 -	438	13	71,808.33	34.52	73,962.58	35.56	76,181.46	36.63	78,466.90	37.72	80,820.92	38.86	83,245.54	40.02	85,742.91	41.22	88,315.19	42.46
439 -	487	14	76,834.92	36.94	79,139.97	38.05	81,514.17	39.19	83,959.59	40.37	86,478.38	41.58	89,072.73	42.82	91,744.90	44.11	94,497.26	45.43
488 -	539	15	82,213.37	39.53	84,679.76	40.71	87,220.16	41.93	89,836.76	43.19	92,531.87	44.49	95,307.82	45.82	98,167.05	47.20	101,112.07	48.61
540 -	596	16	87,968.30	42.29	90,607.34	43.56	93,325.57	44.87	96,125.33	46.21	99,009.09	47.60	101,979.37	49.03	105,038.75	50.50	108,189.91	52.01
597 -	658	17	94,126.08	45.25	96,949.87	46.61	99,858.35	48.01	102,854.10	49.45	105,939.73	50.93	109,117.92	52.46	112,391.47	54.03	115,763.21	55.66
659 -	725	18	100,714.91	48.42	103,736.35	49.87	106,848.44	51.37	110,053.90	52.91	113,355.51	54.50	116,756.18	56.13	120,258.86	57.82	123,866.63	59.55
726 -	797	19	107,764.95	51.81	110,997.90	53.36	114,327.83	54.97	117,757.66	56.61	121,290.40	58.31	124,929.10	60.06	128,676.98	61.86	132,537.29	63.72
798 -	874	20	115,308.50	55.44	118,767.75	57.10	122,330.79	58.81	126,000.71	60.58	129,780.72	62.39	132,350.64	63.63	137,684.37	66.19	141,814.90	68.18

Points	Grade	Title
118	5	Records Clerk
148	6	Administrative Assistant
193.5	7	Maintenance Worker I
195	7	Deputy Clerk
217.5	8	Maintenance Worker II
250	9	Mechanic I
290	10	Accountant
310	11	City Clerk
310	11	Patrol Officer
368	12	Community Development Specialist
445	14	Public Works Superintendent
493	15	Assistant City Administrator
595	16	Finance Director
710	18	City Administrator

3.0% COLA from 2018 Pay Plan

**Seasonal Employee Salary Schedule
2019**

Pts	Grade	Step																
		1		2		3		4		5		6		7		8		
		STD	75%	STD	75%	STD	75%	STD	75%	STD	75%	STD	75%	STD	75%	STD	75%	
0 -	44	1	15.33	11.50	15.79	11.84	16.26	12.20	16.75	12.56	17.25	12.94	17.77	13.33	18.30	13.73	18.85	14.14
45 -	67	2	16.40	12.30	16.89	12.67	17.40	13.05	17.92	13.44	18.46	13.85	19.01	14.26	19.58	14.69	20.17	15.13
68 -	92	3	17.55	13.16	18.08	13.56	18.62	13.96	19.18	14.38	19.75	14.81	20.35	15.26	20.96	15.72	21.58	16.19
93 -	117	4	18.78	14.08	19.34	14.51	19.92	14.94	20.52	15.39	21.14	15.85	21.77	16.33	22.42	16.82	23.10	17.32
118 -	144	5	20.09	15.07	20.70	15.52	21.32	15.99	21.96	16.47	22.23	16.67	23.29	17.47	23.99	17.99	24.71	18.53

Points	Grade	Title
58	2	Seasonal Maintenance Worker I
138	5	Seasonal Maintenance Worker II



STAFF MEMORANDUM

SUBJECT:	Appeal of Administrative Appeals Board Determination for The Townhomes of the Farm
MEETING DATE:	November 15, 2018
PREPARED BY:	Thomas Terry, City Administrator
REQUESTED ACTION:	Review the determination made by the Administrative Appeals Board for The Townhomes of the Farm Regarding High Water Usage

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

The City Council is being asked to review the determination made by the Administrative Appeals Board regarding irrigation of sod for three new lawns at The Townhomes of the Farm.

DISCUSSION

In 2009, the City Council approved an administrative appeals policy allowing for the review and determination regarding utility billing appeals. This policy allowed the City Administrator, or designee, to be authorized to make adjustment in water charges where it has been determined by the City that the amount billed is erroneous due to meter deficiency or other mistake. If the property owner or their designee disagrees with the determination made by the City Administrator, or designee, they have the option to request a hearing before the Administrative Appeals Board.

The Administrative Appeals Board was authorized to make adjustment in charges where in the Board's opinion, it has been determined that the amount billed is erroneous due to meter deficiency or other mistake.

After the Administrative Appeals Hearing, if the property owner or their designee does not agree with the determination made by the Administrative Appeals Board, the property owner or their designee has the option to submit a written request for a hearing before the City Council for a review of the determination made by the Administrative Appeals Board.

At the August 9, 2018 City Council Meeting, the City Council directed the creation of a separate modified rate structure for residents irrigating their newly installed sod contingent on the following criteria:

- The homeowner/builder is required to complete and submit a New Sod Installation Modified Rate Structure Permit Application to the City prior to the billing for the month the new sod installation irrigation occurred.
- The Permit would only allow the homeowner/builder to apply for and receive up two (2) months of modified rate structure for irrigation of newly installed sod.

At the September 27, 2018 City Council Meeting, the Council approved the following amendment to Section 9-1-7 of the Elko New Market City Code to add Subsection F as follows:

- F. NEW LAWN IRRIGATION: Within one year following issuance of a certificate of occupancy (or temporary certificate of occupancy) for a newly constructed home, residential properties may be billed at a modified rate structure as provided in the City's fee schedule for the establishment of a new lawn. In order for the modified rate structure to apply, the property owner must submit a notice to the City that new sod will be installed. The modified rate structure will apply for the two billing months following the month that the City receives notice concerning the installation of new sod. The modified rate structure may be applied only once for each residential property following construction of a new home on the property.*

This ordinance would take effect on January 1, 2019.

APPEAL

On October 25, 2018, the City received a letter (attached) from Sharyn Mertens, on behalf of Mahowald Builders, Inc., along with The Farm Townhome Association, requesting an adjusted rate be used in calculating the water bill for the month of August 2018, in the amount of \$7,054.38, due to new sod installation at three (3) new homes (1213 Francis Drive, 1215 Francis Drive, and 1217 Francis Drive).

The following items were taken into consideration by the Administrative Appeals Board prior to making their determination:

- There were no clerical errors in this billing
- There was no identifiable cause for the usage other than excessive water use in irrigation of sod for three (3) townhomes
- Payment History
- Account History

The Board could not take into account the newly adopted amendment to City Code relating to new lawn irrigation since it is not effective until January 1, 2019.

ADMINISTRATIVE APPEALS BOARD DETERMINATION

On October 11, 2018 the Administrative Appeals Board met and reviewed the appeal from Sharyn Mertens on behalf of Mahowald Builders, Inc., along with The Farm Townhome Association, and made the determination to deny the request. The Administrative Appeals Board found no justification to use an adjusted rate on the August 2018 utility bill due to the excessive irrigation of new sod at three (3) townhomes.

ACTION REQUESTED

Council is being asked to review the determination made by the Administrative Appeals Board on the excessive irrigation of three (3) townhomes during the month of August 2018.

Attachments:

Request appeal to Administrative Appeals Board Letter

Appeal of Administrative Appeals Board Determination Letter to Council

Bill History

Payment History

October 24, 2018

Sandra Green
City of Elko New market
601 Main Street
Elko New Market, MN 55020

Dear Ms. Green,

I am writing to request an appeal to the determination made by Administrative Appeals Board to deny my request for a reduced water rate for sprinkling. Please schedule to appear before the Council at an upcoming meeting.

Thank you,



Shari Mertens
Mahowald Builders, Inc.
7877 West 150th St
Savage, MN 55378



Mahowald Builders, Inc.
7877 West 150th Street
Savage, MN 55378

City of Elko New Market
601 Main Street
Elko New Market, MN 55054
Water billing department

To whom it may concern:

Mahowald Builders, Inc., along with The Farm Townhome Association, would like to ask the appeals board to please review attached water bill in the amount of \$7,054.38. At the very beginning of August Mahowald Builders, Inc. laid sod at 3 townhomes in the Farm Development, 1213/1215/1217 Francis Drive. Unfortunately, August was a very hot month and we needed to use a large amount of water to keep the sod alive and not have it burn up. The Farm Townhome Association does not use extra amounts of unneeded water, just what is needed to keep it alive. We already have a large amount of money into the sod and labor for it. A water bill of the size is a very large amount for a small association to handle, or anyone for that matter. So, we would just like to ask that the board please consider giving us some kind of adjusted rate to help make the burden not so great.

We would like to thank you for your time and efforts on this matter.

Sincerely,



Sharyn Mertens
Mahowald Builders, Inc.
The Farm Townhome Association



Transactions

TOWNHOMES OF THE FARM

Account	Tran Type	Sub Type	Charge Number	Charge Name	Charge Type	Amount	Date	Per	Year	Calc #	Pen Comment
04-00004661-00-1	Receipt	n/a	0		UR	\$40.92	9/7/2018	8	2018	135	No Check#4467 Receipt# 0400004661
04-00004661-00-1	Receipt	n/a	0		UR	\$673.80	10/31/2017	10	2017	125	No Check#4422 Receipt# 0400004661
04-00004661-00-1	Receipt	n/a	0		UR	\$429.40	9/29/2017	9	2017	124	No Check#4420 Receipt# 0400004661
04-00004661-00-1	Receipt	n/a	0		UR	\$2,506.80	8/31/2017	8	2017	123	No Check#4413 Receipt# 0400004661
04-00004661-00-1	Receipt	n/a	0		UR	\$899.40	8/9/2017	7	2017	122	No Check#4409
04-00004661-00-1	Receipt	n/a	0		UR	\$6.30	10/3/2016	9	2016	112	No Check#4342
04-00004661-00-1	Receipt	n/a	0		UR	\$47.25	9/1/2016	8	2016	111	No Check#4336
04-00004661-00-1	Receipt	n/a	0		UR	\$37.80	8/8/2016	7	2016	110	No Check#4333
04-00004661-00-1	Receipt	n/a	0		UR	\$62.92	11/6/2015	10	2015	101	No Check#4271
04-00004661-00-1	Receipt	n/a	0		UR	\$65.34	9/25/2015	9	2015	100	No Check#4265
04-00004661-00-1	Receipt	n/a	0		UR	\$11.42	2/24/2015	2	2015	93	No Check#4237
04-00004661-00-1	Receipt	n/a	0		UR	\$11.42	1/8/2015	12	2015	91	No Check#4229

FILTER: [Full Account Number] = "040000466100" and [Type] = "Receipt"

Bill History

04-00004661-00-1 TOWNHOMES OF THE FARM

Type	Charge	Amount	Date	Prev Read	Prev Read Date	Curr Read	Curr Read Date	Usage	Bill Per	Year
For 04-00004661-00-1										
Calculation Number 125										
		Pre Bal	\$429.40							
		Receipt	\$429.40		9/29/2017					9 2017
	WATER	Service	\$673.80	1102000	8/31/2017	1213000	9/29/2017	111000		9 2017
		Cur Charges	\$673.80		10/11/2017					9 2017
		Total	\$673.80		10/11/2017					9 2017
Calculation Number 125										
Calculation Number 126										
		Pre Bal	\$673.80							10 2017
		Receipt	\$673.80		10/31/2017					10 2017
	WATER	Service	\$0.00	1213000	9/29/2017	1213000	10/31/2017	0		10 2017
		Cur Charges	\$0.00		11/14/2017					10 2017
		Total	\$0.00		11/14/2017					10 2017
Calculation Number 126										
Calculation Number 127										
		Pre Bal	\$0.00							11 2017
	WATER	Service	\$0.00	1213000	10/31/2017	1213000	12/1/2017	0		11 2017
		Cur Charges	\$0.00		12/11/2017					11 2017
		Total	\$0.00		12/11/2017					11 2017
Calculation Number 127										
Calculation Number 128										
		Pre Bal	\$0.00							12 2017
	WATER	Service	\$0.00	1213000	12/1/2017	1213000	1/2/2018	0		12 2017
		Cur Charges	\$0.00		1/11/2018					12 2017
		Total	\$0.00		1/11/2018					12 2017
Calculation Number 128										
Calculation Number 129										
		Pre Bal	\$0.00							1 2018
	WATER	Service	\$0.00	1213000	1/2/2018	1213000	1/31/2018	0		1 2018
		Cur Charges	\$0.00		2/7/2018					1 2018
		Total	\$0.00		2/7/2018					1 2018
Calculation Number 129										
Calculation Number 130										
		Pre Bal	\$0.00							2 2018
	WATER	Service	\$0.00	1213000	1/31/2018	1213000	2/28/2018	0		2 2018
		Cur Charges	\$0.00		3/8/2018					2 2018
		Total	\$0.00		3/8/2018					2 2018
Calculation Number 130										
Calculation Number 131										
		Pre Bal	\$0.00							3 2018
	WATER	Service	\$0.00	1213000	2/28/2018	1213000	3/30/2018	0		3 2018
		Cur Charges	\$0.00		4/9/2018					3 2018
		Total	\$0.00		4/9/2018					3 2018
Calculation Number 131										
Calculation Number 132										
		Pre Bal	\$0.00							4 2018
	WATER	Service	\$0.00	1213000	3/30/2018	1213000	4/30/2018	0		4 2018
		Cur Charges	\$0.00		5/11/2018					4 2018
		Total	\$0.00		5/11/2018					4 2018
Calculation Number 132										
Calculation Number 133										
		Pre Bal	\$0.00							5 2018
	WATER	Service	\$0.00	1213000	4/30/2018	1213000	5/31/2018	0		5 2018
		Cur Charges	\$0.00		6/7/2018					5 2018
		Total	\$0.00		6/7/2018					5 2018
Calculation Number 133										
Calculation Number 134										
		Pre Bal	\$0.00							6 2018
	WATER	Service	\$0.00	1213000	5/31/2018	1213000	6/29/2018	0		6 2018
		Cur Charges	\$0.00		7/10/2018					6 2018

Type	Charge	Amount	Date	Prev Read	Prev Read Date	Curr Read	Curr Read Date	Usage	Bill Per	Year
Total		\$0.00	7/10/2018						6	2018
Calculation Number 134										
Calculation Number 135										
Prev Bal		\$0.00							7	2018
Service	WATER	\$40.92	8/8/2018	1213000	6/29/2018	1225000	7/31/2018	12000	7	2018
Cur Charges		\$40.92	8/8/2018						7	2018
Total		\$40.92	8/8/2018						7	2018
Calculation Number 135										
Calculation Number 136										
Prev Bal		\$40.92							8	2018
Receipt		\$40.92	9/7/2018						8	2018
Service	WATER	\$7,054.38	9/11/2018	1225000	7/31/2018	1732000	8/31/2018	507000	8	2018
Cur Charges		\$7,054.38	9/11/2018						8	2018
Total		\$7,054.38	9/11/2018						8	2018
Calculation Number 136										

For 04-00004661-00-1

FILTER: ([full Account number] = "040000466100") and (([calculation number] = 136) or ([calculation number] = 135) or ([calculation number] = 134) or ([calculation number] = 133) or ([calculation number] = 132) or ([calculation number] = 131) or ([calculation number] = 130) or ([calculation number] = 129) or ([calculation number] = 128) or ([calculation number] = 127) or ([calculation number] = 126) or ([calculation number] = 125))



STAFF MEMORANDUM

SUBJECT:	Planning Commissioner Appointment
MEETING DATE:	November 15, 2018
PREPARED BY:	Renee Christianson, Community Development Specialist
REQUESTED ACTION:	Adopt Resolution 18-70 Appointing Planning Commissioner

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

Steve Thompson had been appointed to the City's Planning Commission with his term running through March 31, 2021. Unfortunately, Commissioner Thompson resigned from the Planning Commission in September based on moving outside of the City limits, and his final meeting was September 25, 2018.

Due to a previous Planning Commission vacancy in the summer of 2018, the City Council had established an Interview Committee consisting of Kate Timmerman, Planning Commission Chairman Steve Thompson, and Community Development Specialist Renee Christianson. The City received five applications for the previous Planning Commission vacancy and interviews were conducted on Monday, July 30th. At that time the Interview Committee recommended appointment of Thomas Humphrey, who the City Council subsequently appointed.

Following the resignation of Steve Thompson, the City Council recommended that the next top two candidates from the existing pool of applicants be re-interviewed for the position, and also that Commissioner Brad Smith be appointed to the interview committee. The next top two candidates, Melissa Hanson and Benjamin Luebbert were contacted to verify continued interest in the position. Mr. Luebbert indicated that he is no longer able to commit to the Planning Commission position.

It is the recommendation of the Interview Committee that Melissa Hanson be appointed to the Planning Commission to fill the remainder of Steve Thompson's term. Her term would be effective November 15, 2018 through March 31, 2021. Mrs. Hanson works for the Scott County Community Development Agency and has extensive background in managing public housing units and various housing programs.

Mrs. Hanson is planning to attend the November 15, 2018 City Council meeting to receive the Oath of Office.

REQUESTED ACTION:

Adopt Resolution 18-70 appointing Melissa Hanson to the Planning Commission.

Attachments:

Resolution 18-70 Appointing Planning Commissioner

**CITY OF ELKO NEW MARKET
SCOTT COUNTY, MINNESOTA**

RESOLUTION NO. 18-70

RESOLUTION APPOINTING MEMBER TO THE PLANNING COMMISSION

WHEREAS, Planning Commissioner Steve Thompson has resigned his position as Planning Commissioner effective September 25, 2018; and

WHEREAS, Planning Commissioner Steve Thompson's term will expire March 31, 2021; and

WHEREAS, the City Council for the City of Elko New Market is authorized to appoint members to the Planning Commission;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Elko New Market, Minnesota that Melissa Hanson is hereby appointed to the Elko New Market Planning Commission to fulfill the balance of Commissioner Hartzler's unexpired term ending March 31, 2021.

APPROVED AND ADOPTED this 15th day of November, 2018 by the City Council of Elko New Market.

CITY OF ELKO NEW MARKET

BY: _____
Robert Crawford, Mayor

ATTEST:

Sandra Green, City Clerk



STAFF MEMORANDUM

SUBJECT:	Zoning Ordinance Amendments
MEETING DATE:	November 15, 2018
PREPARED BY:	Renee Christianson, Community Development Specialist
REQUESTED ACTION:	Adopt Ordinance No. 179 Concerning Amendments to the City's Zoning Ordinance, and Adopt Summary Ordinance No. 180

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

The Planning Commission recently considered amendments to the City's Zoning Ordinance which would simplify the list of permitted and conditional uses in the B1 Neighborhood Business zoning district. The B1 zoning district allows a fairly wide variety of uses including various retail, service, and restaurant type uses. The changes being recommended by the Planning Commission at this time will make it easier for certain businesses to locate (office uses and (commercial) daycare facilities, in particular) by allowing them as "permitted uses" as opposed to the current requirement that they are a "conditional use". In addition, the previous lengthy list of retail uses has not been simplified into a more general "retail" category.

The proposed changes to the B1 zoning district requirements also triggered changes to several other sections of the City Code, primarily the "Definitions" and "Parking" sections of the code.

DISCUSSION

Based on the information provided to the Planning Commission, the recommendations of City staff, public comment received and discussion at the meeting, the Planning Commission has unanimously recommended approval of the request to amend various sections of the City's Zoning Ordinance as depicted in draft Ordinance #179.

BUDGET IMPACT

The budget impact for this item is the cost of City staff time, City Attorney review time and the cost to revise the City Code.

CITY ATTORNEY RECOMMENDATION

The City Attorney has reviewed the staff report, the Planning Commission recommendation and draft Ordinance #179 and #180, and has recommended approval of the draft ordinances.

REQUESTED ACTION:

The City Council is being asked to adopt Ordinance No. 179 and the accompanying Summary Ordinance No. 180.

Attachments:

9.25.18 Planning Commission Report
9.25.18 DRAFT Planning Commission Minutes
Draft Ordinance No. 179
Draft Ordinance No. 180

**CITY OF ELKO NEW MARKET
SCOTT COUNTY, MINNESOTA**

ORDINANCE NO. 179

**AN ORDINANCE AMENDING CITY OF ELKO NEW MARKET CITY CODE
TITLE 11, CHAPTER 2-2, CONCERNING DEFINITIONS AND
TITLE 11, CHAPTER 5-14 CONCERNING DAYCARE FACILITIES AND
TITLE 11, CHAPTER 9-10 CONCERNING PARKING REGULATIONS AND
TITLE 11 CHAPTERS 25 AND 26 CONCERNING PERMITTED AND
CONDITIONAL USES**

THE CITY COUNCIL OF THE CITY OF ELKO NEW MARKET,
MINNESOTA ORDAINS:

SECTION 1. Section 11-2-2 of the Elko New Market City Code is hereby amended to add the following definitions:

CLINIC: Any establishment where human patients are examined, diagnosed or treated by licensed practitioners, and does not involve overnight stays. For this purpose, a licensed practitioner includes physicians, dentist, osteopaths, chiropractors, optometrists, psychologists, therapists, and physical therapists.

DAYCARE FACILITY: Any state licensed facility, public or private, which for gain or otherwise regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than twenty four (24) hours per day, in a place other than the person's own home. Daycare facilities include, but are not limited to: family daycare homes, group family daycare homes, daycare centers, day nurseries, nursery schools, daytime activity center, day treatment programs, and other "nonresidential programs" as defined by Minnesota statutes section 245A.02, subdivision 10.

PHYSICAL RECREATION OR TRAINING: A business that provides physical exercise, training or recreation equipment or space for use on site. Health and fitness centers and clubs, dance studios, karate facilities and gymnastics facilities shall be considered examples of such use. Training or self-improvement shall be an important component of the activity, which is differentiated from commercial recreation uses, where sports are the predominate activity.

RECREATION, COMMERCIAL: A business directed towards the general public that offers recreational entertainment such s bowling alleys, billiard halls, ballrooms, roller rinks, movie theaters, miniature golf, golf courses, driving ranges, tennis courts, ball fields and the like that are operated by a private enterprise with the intention of earning a profit by providing entertainment for the public.

RETAIL ESTABLISHMENT: Establishments displaying and selling products produced off site intended for sale directly to the consumer within a building or portion of a building.

SERVICE ESTABLISHMENT: An establishment that provides labor, maintenance, repair services conducted within a building and activities incidental to business production or distribution where the customer patronizes the location of the operation, such as shoe repair shop, seamstress or tailor shop, computer repair, appliance repair or other uses of similar character.

SECTION 2. Section 11-2-2 of the Elko New Market City Code is hereby amended to delete the following definitions:

~~COMMERCIAL RECREATION: Uses such as bowling alleys, driving ranges, and movie theaters that are privately owned and operated with the intention of earning a profit by providing entertainment for the public.~~

~~DAYCARE NURSERY:~~

- ~~A. Any state licensed facility as defined by Minnesota statutes section 245A.02, subdivision 10, as it may be amended, or home where children under twelve (12) years of age who are not members of the family or the superior or custodian in charge:
 - ~~a. Meet or are scheduled to meet regularly for more than one day a week, for all or part of the day; and,~~
 - ~~b. Need either to be watched or cared for while their parent or guardian is otherwise engaged, or to afford themselves opportunities for physical, social, emotional or intellectual growth.~~~~
- ~~B. This term shall not include hospitals, Sunday schools, facilities under the direction of an established and accredited school system, facilities used for club or organization meetings when such club or organization regularly meets no more than once a week, or casual babysitting.~~

~~RETAIL SALES: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.~~

SECTION 3. The definition of “Office” in Section 11-2-2 of the Elko New Market City Code is amended to read as follows:

OFFICE: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations including attorneys, financial advisors, consultants, insurance and other uses of similar character. This includes administrative services provided to persons both on-site and off-site, and on a walk-in or appointment basis.

SECTION 4. Section 11-5-14 of the Elko New Market City Code is hereby amended as follows:

11-5-14: ~~COMMERCIAL~~ DAYCARE FACILITIES:

- A. Purpose: The regulation of ~~commercial~~ daycare facilities in this section is to establish standards and procedures by which daycare facilities can be conducted within the city without jeopardizing the health, safety, and general welfare of the daycare participants and/or the surrounding neighborhood. This section establishes the city's minimum requirements for the establishment of ~~commercial~~ daycare facilities ~~rather~~ other than in-home daycare facilities as allowed by state statute.
- B. Procedure: ~~Commercial~~ Daycare facilities, except as otherwise provided, shall be allowed as a ~~conditional use~~ in accordance with the zoning districts established by chapter 14 24 of this title, ~~subject to the regulations and requirements of section 11-3-2 of this title.~~ In addition to the city regulations, all daycare facility operations shall comply with the minimum requirements of the applicable Minnesota department of human services regulations.
- C. Special Requirements: ~~Commercial~~ Daycare facilities shall meet the following requirements as applicable:
1. Lot Requirements And Setbacks: The proposed site for a ~~commercial~~ daycare facility shall have a minimum lot area as determined by the Minnesota department of human services and the base zoning district in which it is located. The daycare facility shall meet the minimum setback requirements of the respective zoning districts.
 2. Screening: Where the ~~commercial~~ daycare facility is in or abuts any commercial or industrial use or zoned property, the daycare facility shall provide screening along the shared boundary of the two (2) uses. All of the required fencing and screening shall comply with the fencing and screening requirements in sections 11-5-4 and 11-5-5 of this chapter.
 3. Parking:
 - a. There shall be adequate off street parking which shall be located separately from any outdoor play area and shall be in compliance with chapter 9 of this title.
 - b. There shall be adequate short term parking or drop off area provided within close proximity to the main entrance. Short term or drop off parking shall accommodate three (3) car spaces and shall be designated as temporary in nature. The short term parking or drop off area shall not conflict with off street parking access and shall not conflict with pedestrian movement. The short term parking or drop off area is in addition to off street parking and loading spaces required by chapter 9 of this title.
 - c. Except as may be approved as part of a joint parking arrangement, as regulated by section 11-9-5 of this title, when a daycare facility is an accessory use within a structure containing another principal use, each use

shall be calculated separately for determining the total off street parking spaces required.

4. Signage: All signing and informational or visual communication devices shall be in compliance with chapter 12 of this title.
5. Building Requirements: The building plans for the construction or alteration of a structure that is to be used as a daycare facility shall be submitted to the city for review by the city building official to ensure that the structure is in compliance with the state building code. The facility shall meet the following conditions:
 - a. Architectural Appearance: The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause incompatibility with neighboring properties or constitute a blighting influence within a reasonable distance of the lot.
 - b. Land Use Compatibility: Internal and external site land use compatibility and sufficient peripheral area protections shall be provided by the daycare facility.
 - c. Play Space: Play space shall be adequately enclosed where necessary to prevent children from leaving the premises unattended.
 - d. Outdoor Areas: Outdoor play areas shall not be provided within the required front yard setbacks.
6. Conditions Of Permit: The planning commission and city council may impose such conditions on the granting of a ~~commercial~~ daycare facility conditional use permit as may be necessary to carry out the purpose and provisions of this title.
7. State Licenses Required: Proof of approved applicable state licenses shall be provided to the zoning administrator prior to the building official granting a certificate of occupancy.
8. ~~Nonconforming Facilities: Existing commercial daycare facilities lawfully existing on the effective date hereof may continue as nonconforming uses. They shall, however, be required to obtain applicable state and city permits for their continued operation. Any existing commercial daycare facility that is discontinued for a period of more than thirty (30) days, or is in violation of the ordinance provisions under which it was initially established, shall be brought into conformity with the provisions of this section.~~
89. Inspections: The city hereby reserves the right, upon issuing any ~~commercial~~ daycare facility conditional use permit, to inspect the premises in which the occupation is being conducted to ensure compliance with the provisions of this section or any conditions additionally imposed.

SECTION 5. Section 11-9-10 of the Elko New Market City Code is hereby amended as follows:

11-9-10: NUMBER OF PARKING SPACES REQUIRED:

<u>Uses</u>	<u>Required Number Of Parking Spaces</u>
-------------	--

Commercial:		
Automobile repair (associated with motor fuel station)		2 for each service stall, plus motor fuel requirements
Automobile repair, major		At least 2, plus 4 for each service stall
Automobile repair, minor		1 per 200 square feet of floor area
Automobile sales		1 per 500 square feet of showroom, plus 1 for each 3,000 square feet of outdoor sales lot
Bank	-	1 for each 300 square feet of floor area, plus 5 stacking spaces for each drive-up window
Bar, tavern, nightclub		At least 1 per 3 patron seats, plus 1 per employee on the largest work shift
Beauty shop or barbershop	-	2 per chair, plus 1 per employee on the largest work shift
Boarding house		At least 1 for each person for whom accommodations are provided for sleeping
Bowling alley		5 for each alley, plus additional spaces as may be required herein for related uses contained within the principal structure
Car wash (accessory to motor fuel station)		4 off street stacking spaces per drive-through car wash. The bay inside the car wash shall not be considered a stacking space
Car wash (drive-through) as principal use		A minimum of 10 or 1 for each employee on the maximum shift, whichever is greater
Community center, private club, lodge, museum, art gallery		10, plus 1 for each 150 square feet in excess of 2,000 square feet of floor area in the principal structure
Convenience grocery <u>store</u>		1 per 100 square feet of floor area. Parking areas at pump islands may be counted as parking spaces
Fitness center	-	1 per exercise station (e.g., strength machine or cardiovascular), plus 1 per employee on the largest work shift, plus

		additional parking spaces required for ancillary uses
	Funeral home	20 per chapel or parlor, plus 1 for each company vehicle maintained on site. Adequate stacking space shall also be provided for staging funeral processions
	Grocery or supermarket	1 per 100 square feet of floor area of customer sales and service, plus 1 per 200 square feet of floor area of storage
	Hotel or motel	At least 1 for each dwelling unit or lodging room, plus 1 additional for each 8 units. Additional spaces shall be required for liquor or restaurant facilities
	Instructional studio (dance, karate, music, and similar uses)	1 for each 200 square feet of floor area
	Laundromat	1/2 per machine
	Ministorage	2 per dwelling unit or employee area, plus 1 per 6,000 square feet of indoor storage area
	Motor fuel station	1 per pump, plus 1 per employee on the largest work shift. With convenience grocery, include 1 per 100 square feet of floor area. Parking areas at pump islands may be counted as parking spaces
	Outdoor storage and/or display of retail merchandise	1 per 2,000 square feet of outdoor storage or display area in addition to the total parking required on the site for the individual use
	<u>Personal Service (beauty shops, electrolysis, nail care, tanning, physical therapy, therapeutic massage, tattooing, and similar uses)</u>	<u>2 per chair or bed, plus 1 per employee on the largest work shift</u>
	<u>Physical Recreation or Training (fitness centers, dance studios, karate facilities and similar uses)</u>	<u>1 per 200 square feet of floor area</u>
	Pool hall and arcade	1 per 4 patrons at the maximum occupancy load of the facility, plus 1 per employee on the largest work shift, plus 1

		per 100 square feet of kitchen, dining, or snack bar area
	Religious institution, theater, auditorium	1 for each 3 seats, based upon maximum design capacity, plus additional spaces as may be required herein for related uses contained within the principal structure
	Restaurant (fast food)	1 per 50 square feet of floor area, plus 1 per employee on the largest work shift
	Restaurant (sit down) including outdoor seating	5 per 1,000 square feet of floor area
	Restaurant, take out (no seating)	1 per 100 square feet of floor area
	Retail sales and multiple occupancy retail service building	1 per 250 square feet of floor area and outdoor sales space
	Retail establishments-Retail sales/service and storage-	1 per 200 square feet of floor area of retail space and 1 per 500 square feet of storage area-
	<u>Service establishments (provides labor, maintenance or repair)</u>	<u>1 per 200 square feet of floor area</u>
Industrial:		
	Industrial	A minimum of 1 per employee on the largest work shift, plus 1 per company vehicle regularly stored on premises, plus additional spaces that may be required depending upon the specific use
	Manufacturing, fabricating or processing of a product	1 per 1,000 square feet of floor area, plus 1 for each company owned truck (if not stored inside the principal structure)
	Manufacturing, office	1 per 350 square feet of floor area, plus 1 per company vehicle not stored within the principal structure
	Warehouse:	
	Office area	1 per 400square feet of office area
	Warehouse area	1 per 1,000 square feet of floor area, plus 1 per company vehicle not stored within the principal structure
Institutional:		

	Cemetery		1 per employee
	Church		1 per 3 seats of maximum capacity
	Community recreation center		1 per 250 square feet of floor area, or 1 per 4 patrons at the maximum occupancy load, whichever is greater, plus 1 per employee on the largest work shift
	Hospital		2 per 3 patient beds, plus 1 per employee on the largest work shift
	Library		1 per 250 square feet of floor area or 1 per 4 seats at the maximum occupancy load, whichever is greater, plus 1 per employee on the largest work shift
	School, college or trade		1 per staff member on the largest work shift, plus 1 per 2 students of the largest class attendance period
	School, elementary and junior high		1 per 7 students based upon building design
	School, high school and post high school facilities		1 per 3 students based upon building design capacity, plus 1 per classroom
Office:			
	Medical, dental, or chiropractic office or clinic		5 per doctor or dentist, plus 1 for each employee on the largest work shift
	Office (business and professional)		1 for each 400 square feet of floor space
	Veterinary office (with or without kennels)		3 per doctor, plus 1 per employee on the largest work shift
Recreational:			
	Athletic field (private or private nonprofit)		1 per 8 seats of design capacity
	Athletic stadium/auditorium/indoor sports area		1 per 4 seats
	Golf course		4 per hole, plus 50 percent of the requirements for any other associated use, except in planned residential, resort, or commercial developments, which have otherwise adequate provisions for parking

	Golf driving range, miniature golf, archery range		10, plus 1 for each 100 square feet of floor area
	Skating rink, ice or roller		1 per 300 square feet of floor area, plus 1 per employee on largest work shift
	Tennis, racquet, handball court		4 per court, plus 1 per employee on the largest work shift
Residential:			
	Assisted living facility		$\frac{1}{2}$ per unit
	Daycare facility nursery –		1 per teacher/employee on the largest work shift, plus 1 off street loading space per 6 children or individual served.
	Elderly (senior citizen) housing (uses with occupancy limited to persons age 55 and over)		1 per unit; $\frac{1}{2}$ of required stalls may be provided at initial development for projects with occupancy restricted to persons age 55 and older. The development shall include a proof of parking area sufficient to meet the parking requirements
	Group home (dwelling)		1 per sleeping room or 1 for every 4 beds
	Manufactured home		2 per manufactured home (a minimum of 1 shall be enclosed)
	Multiple-family (apartment) dwelling (see also Multiple-family guest parking herein)		$1\frac{1}{2}$ for each efficiency and 1-bedroom unit and $2\frac{1}{4}$ for units with 2 or more bedrooms. A minimum of 1 of the required parking spaces per unit shall be an enclosed garage space. A land area requirement credit of 300 square feet toward the satisfaction of lot area requirements shall be given for each garage under the principal building
	Multiple-family guest parking		$\frac{1}{2}$ per townhouse or apartment unit, distributed throughout the development, in addition to the required parking per unit
	Nursing home other than assisted living facility		1 per 6 patient beds, plus 1 per employee on the largest work shift
	One- and two-family residence		A 440 square foot attached garage shall be constructed at the same time as the principal structure. For lots of record established after the effective date hereof,

		all site plans for single-family homes shall provide for the location of a 3 stall attached garage, whether or not construction is intended
	Townhome dwelling unit (see also Multiple-family guest parking herein)	Each dwelling unit shall have an attached garage with a minimum of 2 garage spaces and 2 driveway spaces per unit. The minimum garage shall be 220 square feet for dwellings with basements and 540 square feet for dwellings without basements. Garages shall be a minimum of 20 feet in width
	Uses not listed	The parking requirement for a use not specifically mentioned herein shall be the same as required for a similar use as determined by the zoning administrator

SECTION 6. The reference to “Commercial Daycare Facilities” in Section 11-25D-4 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 7. The reference to “Commercial Daycare Facilities” in Section 11-25E-4 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 8. Section 11-26A-2 of the Elko New Market City Code is hereby amended as follows:

11-26A-2: PERMITTED USES:

Subject to applicable provisions of this title, the following are permitted uses in the B-1 district:

- Clinics
- Daycare facilities
- Office
- Personal wireless service antennas located on a public structure or existing tower as regulated by [chapter 13](#) of this title
- Personal services
- Physical recreation or training
- Restaurant, fast food (without drive-through facilities)
- Restaurant, sit down
- Retail establishments
- Service establishment
- Sexually oriented business, accessory, subject to the provisions of section [11-5-16](#) of this title

Sexually oriented business, principal, subject to the provisions of section [11-5-16](#) of this title

Veterinary clinic (without animal kennels)

SECTION 9. Section 11-26A-4 of the Elko New Market City Code is hereby amended to delete “commercial daycare facilities” and “professional and commercial (leased) offices” as conditional uses, and the reference to “Motor Fuel Stations” as a conditional use is amended to read “Motor Fuel Stations and Convenience Stores.”

SECTION 10. The reference to “Daycare Nurseries” in Section 11-26B-2 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 11. The reference to “Commercial Daycare Facilities” in Section 11-26B-5 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 12. Section 11-26C-2 of the Elko New Market City Code is hereby amended to delete Commercial Recreation as a Permitted Use, and add Recreation, Commercial as a Permitted Use.

SECTION 13. The reference to “Commercial Daycare Facilities” in Section 11-26C-4 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 14. Section 11-26D-3 of the Elko New Market City Code is hereby amended to delete Retail Sales Establishment as a Permitted Use, and add Retail Establishments as a Permitted Use.

SECTION 15. The reference to “Commercial Daycare Facilities” in Section 11-26D-5 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 16. Section 11-26E-2 of the Elko New Market City Code is hereby amended to delete Commercial Recreation as a Permitted Use, and add Recreation, Commercial as a Permitted Use.

SECTION 17. The reference to “Commercial Daycare Facilities” in Section 11-26E-4 of the Elko New Market City Code is hereby amended to read “Daycare Facilities.”

SECTION 18. Section 11-26F-4 of the Elko New Market City Code is hereby amended to delete Indoor Commercial Recreation as a Conditional Use, and add Recreation, Commercial as a Conditional Use.

SECTION 19. Section 11-26G-4 of the Elko New Market City Code is hereby amended to delete Indoor Commercial Recreation as a Conditional Use, and add Recreation, Commercial as a Conditional Use.

SECTION 20. This Ordinance shall take effect immediately upon its passage and publication.

ADOPTED this 15th day of November, 2018 by the City Council for the City of Elko New Market.

CITY OF ELKO NEW MARKET

BY: _____
Robert Crawford, Mayor

ATTEST:

Sandra Green, City Clerk

**CITY OF ELKO NEW MARKET
SCOTT COUNTY, MINNESOTA**

SUMMARY ORDINANCE NO. 180

**AN ORDINANCE AMENDING CITY OF ELKO NEW MARKET CITY CODE TITLE
11, CHAPTER 2-2, CONCERNING DEFINITIONS AND
TITLE 11, CHAPTER 5-14 CONCERNING DAYCARE FACILITIES AND
TITLE 11, CHAPTER 9-10 CONCERNING PARKING REGULATIONS AND TITLE 11
CHAPTERS 25 AND 26 CONCERNING PERMITTED AND CONDITIONAL USES**

NOTICE IS HEREBY GIVEN that, on November 15, 2018, Ordinance No. 179 was adopted by the City Council of the City of Elko New Market, Minnesota.

NOTICE IS FURTHER GIVEN that, because of the lengthy nature of Ordinance No. 179, the following summary of the ordinance has been prepared for publication.

NOTICE IS FURTHER GIVEN that the ordinance adopted by the Council amends City Code Title 11, Zoning Regulations, by amending certain definitions, references to daycare facilities, parking regulations, and amendments to the permitted and conditional uses in various Business zoning districts. A printed copy of the whole ordinance is available for inspection by any person during the City's regular office hours.

APPROVED for publication by the City Council of the City of Elko New Market this 15th day of November, 2018.

CITY OF ELKO NEW MARKET

By: _____
Bob Crawford, Mayor

By: _____
Sandra Green, City Clerk

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated September 25, 2018 regarding Rezoning Request #R4-2018.

Christianson reported that the City of Elko New Market owns a piece of property along the south side of James Parkway that had been approved for a town home development prior to the recession. The original 71-unit development was approved by way of PUD zoning. The original developer (2006) defaulted on assessments against the property and the City ultimately ended up with possession of the undeveloped portions of the property. The City currently has a purchase agreement on the final remaining undeveloped parcel which consists of 3.19 acres. The purchaser is Global Properties, LLC.

Christianson explained that one condition of the purchase agreement is that the buyer have reasonable assurance that they will be able to use the property for their intended use. Global Properties is planning to construct apartment buildings on the property. To provide the reasonable assurances, the purchaser has requested that the City rezone the property to R4 High Density Residential as a condition of the sale. The R4 zoning district allows multiple-family dwelling structures containing more than eight units as a permitted use. The criteria for granting a rezoning request were reviewed.

Chairman Thompson opened the required public hearing at 7:12 p.m., and with no comments from the public, it was moved by Humphrey, seconded by Kruckman to close the public hearing at 7:13 p.m.

Commissioner Smith asked about the large stockpile of fill and dirt on the site, and questioned whether there needed to be any coordination with the adjacent property owner to the west, since the stockpile seemed to cross over both properties. Christianson stated that the buyer is aware of the stockpile location in relation to the property lines. Upon sale of the property, any responsibility for coordination would be assumed by the buyer.

With no further discussion, it was moved by Smith and seconded by Vetter to recommend approval of the request for Rezoning #R4-2018 to rezone the subject property from Planned Unit Development (PUD) to High Density Residential (R4) for the following reasons:

1. Rezoning of the property to R4 is consistent with the City's Comprehensive Plan, which guides the property to a Residential Mixed Use land use Category, and the Residential Mixed Use land use category provides for development of multi-family housing.
2. The proposed R4 zoning of the property is compatible with adjacent land uses.
3. The City's existing infrastructure can accommodate multi-family development on the property.
4. The site borders on a City minor collector street which can adequately handle traffic from high density residential development.

Motion carried: (5-0).

B. Draft Amendment to Zoning Ordinance – Definitions and Uses in the B1 Zoning District

Community Development Specialist Christianson introduced the agenda item and explained that the topic of simplifying the list of permitted and conditional uses in the B1 Neighborhood Business zoning district was introduced by City staff at the August Planning Commission. The B1 zoning district allows a wide variety of uses including various retail, service, and restaurant uses. The purpose of the district as stated in the Zoning Ordinance is “to provide for the establishment of local centers for convenient, limited office, retail or service outlets which deal directly with the customer for whom the goods or services are furnished.” Staff suggested, and the Commission supported, that the list of many various individually listed retail and services uses should be simplified into more generic categories, and it was also agreed that office uses should be a permitted use in the B1 district and not a conditional use.

Christianson reviewed in detail the changes proposed to Section 11-26A of the City Code, related to the B1 Neighborhood Business District and Section 11-2-2 Definitions. The proposed changes were summarized as follows:

- Deleted the many individually listed retail and service type uses listed as permitted uses in the B1 district and replaced with the following permitted uses in the B1 district:
 - Clinics
 - Daycare facilities
 - Office uses
 - Personal wireless service antennas located on a public structure or existing tower
 - Personal services
 - Physical recreation or training
 - Restaurants, fast food
 - Restaurants, sit down
 - Retail establishments
 - Service establishments
 - Sexually oriented business, accessory
 - Sexually oriented business, principal
- Added Convenience Store as a conditional use
- Changed Daycare Facility from a conditional use to a permitted use
- Changed Office Uses from a conditional use to a permitted use
- Deleted definition of Daycare Nursery and added definition for Daycare Facility
- Amended definition of Office Use
- Added definition for Physical Recreation or Training
- Added definition for Recreation, Commercial
- Added definition for Service Establishment
- Deleted definition of Retail Sales and added definition for Retail Establishment

Christianson stated that the proposed changes would make it easier businesses to locate within the B1 zoning district without needing a conditional use permit and will also clean up some of the currently listed definitions.

Chairman Thompson and Commissioner Humphrey asked about sexually oriented uses. Christianson explained to the Commission that a city must provide opportunities for sexually oriented uses to locate. She explained that the Elko New Market code allows them in certain zoning districts with conditions, such as minimum required setbacks to schools and daycares. She explained that if, by applying all the conditions, there is no place for a sexually oriented use to locate, the City's code would be considered unconstitutional. She stated that she has discussed the specific matter with the City's legal counsel because of concerns for such uses in the B1 zoning district. Legal counsel has recommended, that until a new evaluation is completed to determine that there are reasonable places for sexually oriented uses to locate, they should remain a permitted use in the B1 zoning district.

Christianson noted that the City Attorney also recommended a slight change to the definition of Commercial Recreation. The City Attorney has also recommended, as a result of the currently proposed ordinance amendments, changes to other sections of the ordinance as follows:

- Change all ordinance references for Daycare Nursery to Daycare Facility
- Change all ordinance references for Retail Sales to Retail Establishment
- Change all ordinance references for Indoor Commercial Recreation to Recreation, Commercial
- Add parking requirements for Service Establishments

Chair Thompson questioned whether these additional changes suggested by the City Attorney would require an additional public hearing. Christianson stated the City Attorney is in the process of determining if an additional public hearing would be required or if, because they are a connected action, a hearing would not be required.

Commissioner Smith questioned whether Sexually Oriented Uses could be removed from the list of permitted uses in the B1 district. Following discussion by the Commission, it was agreed that until a full evaluation and mapping exercise could be completed to ensure that the City has reasonable opportunities for Sexually Oriented Uses to locate, they should remain in the B1 district.

A public hearing was opened at 7:33 p.m. Mayor Crawford expressed concern for making sure the City's ordinance was constitutional in regards to Sexually Oriented Uses. With no further comments from the public, it was moved by Smith and seconded by Humphrey to close the public hearing at 7:35 p.m.

It was moved by Humphrey, seconded by Smith to recommend to the City Council changes to Section 11-2-2 (Definitions) and Section 11-26A (Neighborhood Business District) as shown in the Planning Commission Memorandum dated September 25, 2018, and adding changes suggested by the City Attorney. It was further recommended that staff complete an evaluation of Sexually Oriented Uses within the City to determine the constitutionality of the City's ordinance, and potentially make amendments in this regard. Motion carried: (5-0).



601 Main Street
Elko New Market, MN 55054
phone: 952-461-2777 fax: 952-461-2782

MEMORANDUM

TO: PLANNING COMMISSION
FROM: RENEE CHRISTIANSON, COMMUNITY DEVELOPMENT SPECIALIST
RE: PROPOSED ZONING ORDINANCE AMENDMENT
DEFINITIONS AND B1 ZONING DISTRICT - USES
DATE: SEPTEMBER 25, 2018

Background / History

At the August Planning Commission meeting staff introduced the topic of simplifying the list of permitted and conditional uses in the B1 Neighborhood Business zoning district. The B1 zoning district allows a fairly wide variety of uses including various retail, service, and restaurant uses. The purpose of the district as stated in the Zoning Ordinance is “to provide for the establishment of local centers for convenient, limited office, retail or service outlets which deal directly with the customer for whom the goods or services are furnished.”

Office use is not currently listed as a permitted use in the B1 zoning district. “Professional and Commercial (leased) Offices” are listed as a conditional use, subject to certain conditions. The Commission agreed at the August Planning Commission meeting that Office uses should be a permitted use rather than a conditional use in the B1 district. In addition, it was suggested that the list of many various retail uses be simplified into a more generic “Retail” category.

Attached are the proposed changes to Section 11-26A of the City Code, related to the B1 Neighborhood Business District and also Section 11-2-2 Definitions. The proposed changes can be summarized as follows:

- Deleted the many individually listed retail and service type uses listed as permitted uses in the B1 district
- Added as permitted uses in the B1 district:
 - Clinics
 - Daycare facilities
 - Essential services, except transmission lines...
 - Office uses
 - Personal wireless service antennas located on a public structure or existing tower
 - Personal services
 - Physical recreation or training
 - Restaurants, fast food

- Restaurants, sit down
- Retail establishments
- Service establishments
- Sexually oriented business, accessory
- Sexually oriented business, principal
- Added Convenience Store as a conditional use
- Changed Daycare Facility from a conditional use to a permitted use
- Changed Office Uses from a conditional use to a permitted use
- Changed Essential services from needing administrative permit to permitted use
- Added definition for Clinic
- Deleted definition of Daycare Nursery and added definition for Daycare Facility
- Amended definition of Office Use
- Added definition for Physical Recreation or Training
- Added definition for Recreation, Commercial
- Deleted definition of Retail Sales and added definition for Retail Establishment
- Added definition for Service Establishment

The proposed changes will make it easier for certain businesses to locate within the B1 zoning district without needing a conditional use permit and will also clean up some of the currently listed definitions.

Requested Action

The Planning Commission is being asked to hold a public hearing on the proposed ordinance amendment. If the Commission is comfortable with the proposed changes, a recommendation for approval should be made to the City Council.

Attachments

Proposed Changes to Section 11-2-2 Definitions

Proposed Changes to Section 11-26A B1 Zoning District Standards

PROPOSED CHANGES TO SECTION 11-2-2 DEFINITIONS:

CLINIC: Any establishment where human patients are examined, diagnosed or treated by licensed practitioners, and does not involve overnight stays. For this purpose, a licensed practitioner includes physicians, dentist, osteopaths, chiropractors, optometrists, psychologists, therapists, and physical therapists.

DAYCARE NURSERY:

- ~~A. Any state licensed facility as defined by Minnesota statutes section 245A.02, subdivision 10, as it may be amended, or home where children under twelve (12) years of age who are not members of the family or the superior or custodian in charge:~~
- ~~1. Meet or are scheduled to meet regularly for more than one day a week, for all or part of the day; and,~~
 - ~~2. Need either to be watched or cared for while their parent or guardian is otherwise engaged, or to afford themselves opportunities for physical, social, emotional or intellectual growth.~~
- ~~B. This term shall not include hospitals, Sunday schools, facilities under the direction of an established and accredited school system, facilities used for club or organization meetings when such club or organization regularly meets no more than once a week, or casual babysitting.~~

DAYCARE FACILITY: Any state licensed facility, public or private, which for gain or otherwise regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than twenty four (24) hours per day, in a place other than the person's own home. Daycare facilities include, but are not limited to: family daycare homes, group family daycare homes, daycare centers, day nurseries, nursery schools, daytime activity center, day treatment programs, and other "nonresidential programs" as defined by Minnesota statutes section 245A.02, subdivision 10.

OFFICE USE: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations including attorneys, financial advisors, consultants, insurance and other uses of similar character. This includes administrative services provided to persons both on-site and off-site, and on a walk-in or appointment basis.

PHYSICAL RECREATION OR TRAINING: A business that provides physical exercise, training or recreation equipment or space for use on site. Health and fitness centers and clubs, dance studios, karate facilities and gymnastics facilities shall be considered examples of such use. Training or self-improvement shall be an important component of the activity, which is differentiated from commercial recreation uses, where sports are the predominate activity.

RECREATION, COMMERCIAL: Includes all uses such as tennis courts, ball fields, picnic areas and the like that are commonly provided for the public at parks, playgrounds, community centers, and other sites owned and operated by a private enterprise for the purpose of providing recreation.

~~RETAIL SALES: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.~~

RETAIL ESTABLISHMENT: Establishments displaying and selling products produced off site intended for sale directly to the consumer within a building or portion of a building.

SERVICE ESTABLISHMENT: An establishment that provides labor, maintenance, repair and activities incidental to business production or distribution where the customer patronizes the location of the operation, such as banks, copy centers, barber/beauty salons, tanning salons, laundromats, dry cleaners, funeral homes and mortuaries, animal grooming, appliance repair tailor shop, travel bureaus or other uses of similar character.

PROPOSED CHANGES TO SECTION 11-26A – B1 NEIGHBORHOOD BUSINESS DISTRICT:

ARTICLE A. B-1 NEIGHBORHOOD BUSINESS DISTRICT

11-26A-1: PURPOSE:

11-26A-2: PERMITTED USES:

11-26A-3: PERMITTED ACCESSORY USES:

11-26A-4: CONDITIONAL USES:

11-26A-5: INTERIM USES:

11-26A-6: USES BY ADMINISTRATIVE PERMIT:

11-26A-7: LOT AREA, WIDTH AND SETBACK REQUIREMENTS:

11-26A-8: BUILDING HEIGHT:

11-26A-1: PURPOSE:

The purpose of the B-1 neighborhood business district is to provide for the establishment of local centers for convenient, limited office, retail or service outlets which deal directly with the customer for whom the goods or services are furnished. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)

11-26A-2: PERMITTED USES:

Subject to applicable provisions of this title, the following are permitted uses in the B-1 district:

~~Antique or gift shops.~~

~~Appliance stores.~~

~~Art and school supply stores.~~

~~Bakery goods sales and baking of goods for the retail sales on the premises.~~

~~Banks.~~

~~Barbershops.~~

~~Beauty shops.~~

~~Bicycle sales and repair.~~

~~Bookstores.~~

~~Camera and photographic supply and processing stores.~~

~~Candy, ice cream, popcorn, nuts, frozen dessert and soft drink shops.~~

~~Clothing.~~

~~Convenience grocery stores (not supermarket type and without motor fuel facilities).~~

~~Delicatessens.~~

~~Drugstores.~~

~~Dry cleaning and laundry pick up stations including incidental pressing and repair.~~

~~Fitness centers.~~

~~Florists.~~

~~Furniture sales and repair.~~

~~Hardware stores.~~

~~Hobby stores.~~

~~Jewelry sales and jewelry repair.~~

~~Laundromats, self-service.~~

~~Locksmiths.
Meat markets but not including processing for a locker.
Medical and dental clinics or offices.
Music stores.
Office supply and stationery stores.
Paint, wallpaper sales.
Personal services subject to any applicable city, county or state licensing requirements.~~

~~Personal wireless service antennas located on a public structure or existing tower as regulated by chapter 13 of this title.
Photographic studios.
Private educational services.
Record shops.
Restaurants within a building having a principal use other than a restaurant and without an accessory drive-through facility.
Sexually oriented uses – principal and accessory, subject to the provisions of section 11-5-16 of this title.
Veterinary clinics (without animal kennels). (Ord. 50, 1-28-2010; amd. 2011 Code; Ord. 80, 11-17-2011)~~

Clinics

Daycare facilities

Essential services, except transmission pipelines and transmission or substation lines in excess of thirty five (35) kilovolts and up to one hundred (100) kilovolts, as regulated by section 11-4-5 of this title

Office uses

Personal wireless service antennas located on a public structure or existing tower as regulated by chapter 13 of this title

Personal services

Physical recreation or training

Restaurant, fast food (without drive-through facilities)

Restaurant, sit down

Retail establishments

Service establishment

Sexually oriented business, accessory, subject to the provisions of section 11-5-16 of this title

Sexually oriented business, principal, subject to the provisions of section 11-5-16 of this title

Veterinary clinic (without animal kennels)

11-26A-3: PERMITTED ACCESSORY USES:

The following are permitted accessory uses in a B-1 district:

Accessory and secondary use antennas as regulated by chapter 13 of this title.

Ground source heat pump systems as regulated by chapter 14 of this title.

Off street parking as regulated by chapter 9 of this title, with the exception of semitrailer trucks.

Solar energy systems as regulated by chapter 14 of this title.

Structures for a use accessory to the principal use but such use shall not exceed thirty percent (30%) of the gross floor space of the principal use.

Wind energy systems up to thirty five feet (35') in height as regulated by chapter 14 of this title. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011; Ord. 85, 12-1-2011)

11-26A-4: CONDITIONAL USES:

Subject to applicable provisions of this title, the following are conditional uses in the B-1 district and require a conditional use permit based upon procedures set forth in section 11-3-2 of this title:

Accessory drive-through facilities; provided, that:

- A. Not less than one hundred twenty feet (120') of segregated automobile stacking shall be provided for the single service lane. Where multiple service lanes are provided, the minimum automobile stacking may be reduced to sixty feet (60') per lane.
- B. The stacking lane and its access shall be designed to control traffic in a manner to protect the buildings and will not interfere with on site traffic circulation or access to the required parking space.
- C. No part of the public street or boulevard may be used for stacking of automobiles.
- D. The stacking lane, order board telecom, and window placement shall be designed and located in such a manner as to minimize glare to adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site.
- E. The drive-through window and its stacking lanes shall be screened from view of adjoining residential zoning districts and public street rights of way.
- F. A lighting and photometric plan will be required that illustrates the drive-through service lane lighting and shall comply with section 11-4-7 of this title.

Accessory outdoor dining/seating, the area of which exceeds fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The dining/seating facilities are an accessory to a principal use allowed within the B-1 district.
- B. The dining/seating area shall be located on private property.
- C. The dining/seating area shall not exceed forty five percent (45%) of the gross floor area of the principal use.
- D. The outdoor dining/seating area shall be defined with the use of landscaping, temporary fencing or other means that contains the tables and chairs for the use as demonstrated on a site plan and approved by the city.
- E. The consumption of alcoholic beverages within the outdoor dining/seating area may be allowed subject to applicable liquor licensing provisions of this code.
- F. Signage shall be posted that restricts consumption of alcohol outside of the designated outdoor dining/seating area.
- G. No food or beverages shall be served to persons outside of the designated outdoor seating area except in association with other city approvals.
- H. If outdoor alcohol service is available, patrons shall access the outdoor dining/seating area through the principal building.
- I. Dining/seating areas shall be located so as not to obstruct required entrances and exits.
- J. If located on private sidewalks or walkways, the dining/seating area shall be located so as to leave a minimum of a four foot (4') wide passageway for pedestrians.
- K. Parking shall comply with chapter 9 of this title.
- L. All exterior sound equipment shall be shut off at ten o'clock (10:00) P.M. and shall comply with city noise regulations.

- M. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- N. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section 11-4-7 of this title.
- O. The outdoor dining/seating area shall not abut an R-1 or R-2 zoning district.

Accessory outdoor sales and display, the area of which exceeds fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The sales and display activities are an accessory to a principal use allowed within the B-1 district.
- B. The sales/display area shall not exceed forty five percent (45%) of the gross floor area of the principal use.
- C. The sales and display area shall be screened from view of neighboring residential uses.
- D. The sales and display area shall be surfaced to control dust and erosion.
- E. Parking shall comply with chapter 9 of this title.
- F. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- G. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section 11-4-7 of this title.

Commercial car washes (drive-through and self-service); provided, that:

- A. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence.
- B. Magazining or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum thirty (30) minute period and shall be subject to the approval of the city engineer.
- C. At the boundaries of a residential district, a strip of not less than five feet (5') shall be landscaped and screened in compliance with section 11-5-4 and chapter 10 of this title.
- D. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with section 11-5-4 of this title.
- E. The entire area, other than occupied by the building or plantings, shall be surfaced with material which will control dust and drainage, which is subject to the approval of the city engineer.
- F. The entire area shall have a drainage system which is subject to the approval of the city.
- G. All lighting shall be hooded and so directed that the light source is not visible from the public right of way or from an abutting residence and shall be in compliance with section 11-4-7 of this title.
- H. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the city engineer.
- I. Provisions are made to control and reduce noise.

~~Commercial day care facilities as regulated by section 11-5-14 of this title.~~

Commercial, private, and public satellite dish transmitting or receiving antennas greater than two meters (2 m) in diameter as regulated by chapter 13 of this title.

Essential services involving transmission pipelines and transmission or substation lines in excess of thirty five (35) kilovolts and up to one hundred (100) kilovolts; provided, that the applicable provisions of section 11-4-5 of this title are determined to be satisfied.

Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community; provided, that:

- A. Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.
- B. Equipment is completely enclosed in a permanent structure with no outside storage.
- C. Adequate screening and landscaping from neighboring residential districts is provided in accordance with section 11-5-4 and chapter 10 of this title.

Motor fuel stations and Convenience stores; provided, that:

- A. Motor Fuel Facilities: Motor fuel facilities shall be installed in accordance with state and city standards. Additionally, adequate space shall be provided to access fuel pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
- B. Architectural Standards:
 - 1. As a part of the conditional use permit application, a color illustration of all building elevations shall be submitted.
 - 2. The architectural appearance, scale, and functional plan of the building(s) and canopy shall be complementary and compatible with each other and the existing buildings in the neighborhood setting.
 - 3. Exterior wall treatments such as brick, stone (natural or artificial), decorative concrete block and stucco shall be used.
- C. Canopy: A protective canopy structure may be located over the pump island(s) as an accessory structure. The canopy shall meet the following performance standards:
 - 1. The edge of the canopy shall be thirty feet (30') or more from the front and/or side lot line; provided, that adequate visibility both on site and off site is maintained.
 - 2. The canopy shall not exceed eighteen feet (18') in height and shall provide fourteen feet (14') of clearance to accommodate a semitrailer truck passing underneath.
 - 3. The canopy fascia shall not exceed three feet (3') in vertical height.
 - 4. The architectural design, colors, and character of the canopy shall be consistent with the principal building on the site.

5. Signage may be allowed on a detached canopy in lieu of wall signage on the principal structure; provided, that the individual canopy sign does not exceed more than twenty percent (20%) of the canopy facade facing a public right of way.
6. Canopy posts/signposts shall not obstruct traffic or the safe operation of the gas pumps.

D. Pump Islands: Pump islands shall comply with the following performance standards:

1. Pump islands shall be elevated six inches (6") above the traveled surface of the site.
2. All pump islands shall be set at least thirty feet (30') back from any property line. Additionally, the setback between the pump islands' curb face shall be at least twenty four feet (24').

E. Dust Control And Drainage: The entire site, other than taken up by a building, structure, or plantings, shall be surfaced with asphalt, concrete, cobblestone, or paving brick. Plans for surfacing and drainage shall be subject to approval of the city engineer. Drainage from all fueling areas shall be directed to an oil/grit separator. Minimum design standards for the oil/grit separator shall include the following:

1. A minimum of four hundred (400) cubic feet of permanent pool storage capacity per acre of drainage area.
2. A minimum pool depth of four feet (4').
3. A minimum oil containment capacity of eight hundred (800) gallons.
4. Minimum maintenance inspection of two (2) times per year and/or after measurable spill events. A measurable spill shall be defined by the Minnesota pollution control agency (MPCA). Any measurable spill event shall be reported to the MPCA.

F. Landscaping:

1. Minimum required green area shall be in accordance with the provisions of chapter 10 of this title.
2. At the boundaries of the lot, the following landscape area shall be required:
 - a. From side and rear property lines, an area of not less than ten feet (10') wide shall be landscaped in compliance with chapter 10 of this title.
 - b. From all road rights of way, an area of not less than fifteen feet (15') wide shall be landscaped in compliance with chapter 10 of this title.
 - c. Where lots abut residentially zoned property, a buffer yard of not less than twenty feet (20') wide shall be landscaped and screened in accordance with section 11-5-4 and chapter 10 of this title.
 - d. The property owner shall be responsible for maintenance of all landscaping, including within the boulevard.

G. Exterior Lighting: The lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right of way and shall be in compliance with section 11-4-7 of this title. A comprehensive lighting plan shall be submitted as part of the conditional use permit application, and shall be subject to the following performance standards:

1. Canopy Lighting: Canopy lighting under the canopy structure shall consist of canister spotlights recessed into the canopy. No portion of the light source or fixture may extend below the ceiling of the canopy. Total canopy illumination below the canopy shall not exceed one hundred fifteen (115) foot-candles at ground level.
 2. Illumination: Maximum site illumination shall not exceed limits set forth in section 11-4-7 of this title.
 3. Access: Vehicular access points shall create a minimum of conflict with through traffic movement and shall comply with chapter 9 of this title.
- H. Circulation And Loading: The site design shall accommodate adequate turning radius and vertical clearance for a semitrailer truck. Designated loading areas shall be exclusive of off street parking stalls and drive aisles. A site plan shall be provided to illustrate adequate turning radius, using appropriate engineering templates.
- I. Parking:
1. Parking spaces shall be calculated solely based upon the use(s) and the square footage of the principal building(s).
 2. Parking spaces shall be screened from abutting residential properties in accordance with section 11-5-4 of this title.
- J. Noise: Public address system shall not be audible at any property line. Playing of music or advertisement from the public address system is prohibited. Noise control shall be required as regulated by section 11-4-8 of this title.
- K. Outside Storage, Sales And Service: No outside storage or sales shall be allowed, except as follows:
1. Public phones may be located on site as long as they do not interrupt on site traffic circulation and are not located in a yard abutting residentially zoned property.
 2. Propane sales of twenty (20) pound capacity tanks may be located outside, provided the propane tanks are secured in a locker and meet all state and city building and fire codes.
 3. A compressed air service area may be located on site as long as it does not interrupt on site traffic circulation.
- L. Litter Control: The operation shall be responsible for litter control on the subject property, which is to occur on a daily basis. Trash receptacles shall be provided at convenient locations on site to facilitate litter control.
- M. Additional Stipulations: All conditions pertaining to a specific site are subject to change when the city council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying or expanding the conditions set forth herein.

Personal wireless service antennas not located upon a public structure or existing tower as regulated by chapter 13 of this title.

~~Professional and commercial (leased) offices; provided, that:~~

Proposed Zoning Ordinance Amendments - Definitions and B1 District Uses

Page 11 of 14

September 25, 2018

- ~~A. The gross floor area of the office building shall not exceed ten thousand (10,000) square feet.~~
- ~~B. The services which are provided are for the local area rather than the community or region.~~
- ~~C. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.~~
- ~~D. The architectural appearance of the building housing the office use shall reflect the building character of the area and shall not be so dissimilar as to cause impairment of property values or constitute a blighting influence within the neighborhood.~~

Satellite antennas greater than two meters (2 m) in diameter as regulated by chapter 13 of this title.

Wind energy systems up to seventy five feet (75') in height as regulated by chapter 14 of this title. (Ord. 5, 12-14-2006; amd. Ord. 74, 8-11-2011; Ord. 80, 11-17-2011; Ord. 85, 12-1-2011)

11-26A-5: INTERIM USES:

Subject to applicable provisions of this title, the following are interim uses in the B-1 district and require an interim use permit based upon procedures set forth in and regulated by section 11-3-3 of this title:

Farms, farmsteads and farming.

Mining, sand and gravel extraction, and land reclamation and alteration; provided, that the uses will be in compliance with the provisions hereof or other applicable provisions of this code. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)

11-26A-6: USES BY ADMINISTRATIVE PERMIT:

Subject to applicable provisions of this title, the following uses are allowed by administrative permit in a B-1 district based upon procedures set forth in and regulated by section 11-3-4 of this title:

Accessory outdoor dining/seating, the area of which does not exceed fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. ~~A~~The dining/seating facilities are an accessory to a principal use allowed within the B-1 district.
- B. The dining/seating area shall be located on private property.
- C. The outdoor dining/seating area shall be defined with the use of landscaping, temporary fencing or other means that contains the tables and chairs for the use as demonstrated on a site plan and approved by the city.
- D. The consumption of alcoholic beverages within the outdoor dining/seating area is prohibited except upon approval of a conditional use permit.
- E. No food or beverages shall be served to persons outside of the designated outdoor seating area except in association with other city approvals.
- F. Dining/seating areas shall be located so as not to obstruct required entrances and exits.

- G. If located on private sidewalks or walkways, the dining/seating area shall be located so as to leave a minimum of a four foot (4') wide passageway for pedestrians.
- H. Parking shall comply with chapter 9 of this title.
- I. All exterior sound equipment shall be shut off at ten o'clock (10:00) P.M. and shall comply with city noise regulations.
- J. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- K. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section 11-4-7 of this title.
- L. The outdoor dining/seating area shall not abut an R-1 or R-2 zoning district.

Accessory outdoor sales and display, the area of which does not exceed fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The sales and display activities are an accessory to a principal use allowed within the B-1 district.
- B. The sales and display area shall be screened from view of neighboring residential uses.
- C. The sales and display area shall be surfaced to control dust and erosion.
- D. Parking shall comply with chapter 9 of this title.
- E. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- F. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section 11-4-7 of this title.

~~Essential services, except transmission pipelines and transmission or substation lines in excess of thirty five (35) kilovolts and up to one hundred (100) kilovolts, as regulated by section 11-4-5 of this title.~~

Model homes as regulated by section 11-5-10 of this title.

Personal wireless service antennas located upon a public or quasi-public structure or existing tower as regulated by chapter 13 of this title.

Temporary outdoor uses as regulated by section 11-5-11 of this title. (Ord. 5, 12-14-2006; amd. 2011 Code; Ord. 74, 8-11-2011; Ord. 80, 11-17-2011)

11-26A-7: LOT AREA, WIDTH AND SETBACK REQUIREMENTS:

The following minimum requirements shall be observed in a B-1 district, subject to additional requirements, exceptions and modifications set forth in this title:

- A. Lot area: Twenty thousand (20,000) square feet.
- B. Lot width: One hundred feet (100').
- C. Setbacks:

1. From streets:
 - a. Principal/minor arterial streets: Sixty five feet (65').
 - b. Collector streets: Sixty five feet (65').
 - c. Local streets: Thirty five feet (35').
2. Side yards: Twenty feet (20').
3. Rear yards: Thirty feet (30'). (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)

11-26A-8: BUILDING HEIGHT:

Structures shall not exceed thirty five feet (35') in height, except as provided in section 11-5-2 of this title. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)



STAFF MEMORANDUM

SUBJECT:	Planning Commissioner Resignation and Authorization to Post Vacancy
MEETING DATE:	November 15, 2018
PREPARED BY:	Renee Christianson, Economic Development Coordinator
REQUESTED ACTION:	Authorize City Administrator to post Planning Commission vacancy and appointment of Selection Committee.

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND:

Heather Vetter has submitted her resignation from the Planning Commission, effective October 24, 2018. The Council is being asked to authorize the posting of the vacancy.

The vacancy would be posted on the City's website, Facebook page, Twitter, a possible upcoming edition of the City Newsletter, Nextdoor Neighbor and the electronic sign in front of City Hall. The position would be posted through mid-December with interviews and appointment occurring in January. This would allow the newly appointed Commissioner to receive their orientation and take their seat in January or February.

Based on past experience and practice, staff would recommend that the Council appoint a Selection Committee to review the applications, interview candidates and make recommendation(s) to the City Council. The suggested composition of the Committee is the Planning Commission Chair, Community Development Specialist and a Councilmember.



STAFF MEMORANDUM

SUBJECT:	League of Minnesota Cities and Metro Cities Legislative Policies
MEETING DATE:	November 15, 2018
PREPARED BY:	Thomas Terry, City Administrator
REQUESTED ACTION:	Discuss and determine City position on policies, appoint representative to annual meeting.

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

Both the League of Minnesota Cities and the Metro Cities organizations develop policy positions that serve as guidance for representing their member cities. Over the preceding months, each organization's policies have been reviewed and updated utilizing a committee process with specific areas of focus. Mayor Crawford was very engaged in that process.

DISCUSSION:

The City Council is being asked to review the proposed legislative policies for both the League of Minnesota Cities and Metro Cities, then determine the City's position with regards to those policies – support, not support, support in part, not support specific policies, etc.

The Council is also being asked if there is a desire to send a representative to the annual meeting to represent the City and vote on the policies.

The policies can be found online at:

League of Minnesota Cities

<http://www.lmc.org/draftpolicies>

Metro Cities

<https://www.metrocitiesmn.org/assets/docs/LegislativePolicies/2019%20Policies%20Approved%20by%20Board%20for%20Membership%20Vote%20-%20Draft.pdf>

3rd Quarter Report

City of Elko New Market
Elko New Market, Minnesota

As of September 30, 2018



AEM Financial Solutions™

People
+ Process.
Going
Beyond the
Numbers

ACCOUNTANT'S COMPILATION REPORT

Honorable Mayor and City Council
City of Elko New Market
Elko New Market, Minnesota

We have compiled the accompanying statement of revenues and expenditures for the General Fund and statements of revenues and expenses for the Water, Storm Water and Sewer funds of the City of Elko New Market, Minnesota as of September 30, 2018, for the quarter then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or provide any assurance about whether the financial statement is in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by accounting principles generally accepted in the United States of America. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Sincerely,

AEM FINANCIAL SOLUTIONS, LLC

Honorable Mayor and City Council
 City of Elko New Market
 Elko New Market, Minnesota

Dear Honorable Mayor and City Council:

We have reconciled all bank accounts through September 30, 2018 and reviewed activity in all funds. The following is a summary of our observations. All information presented is unaudited.

Budget Summary

A more detailed analysis of funds is included as Attachment A.

Cash Balance Summary

A detailed view of department totals compared with budget is included as Attachment B.

Enterprise Fund Summary

A detailed summary of enterprise fund financial results is included as Attachment C.

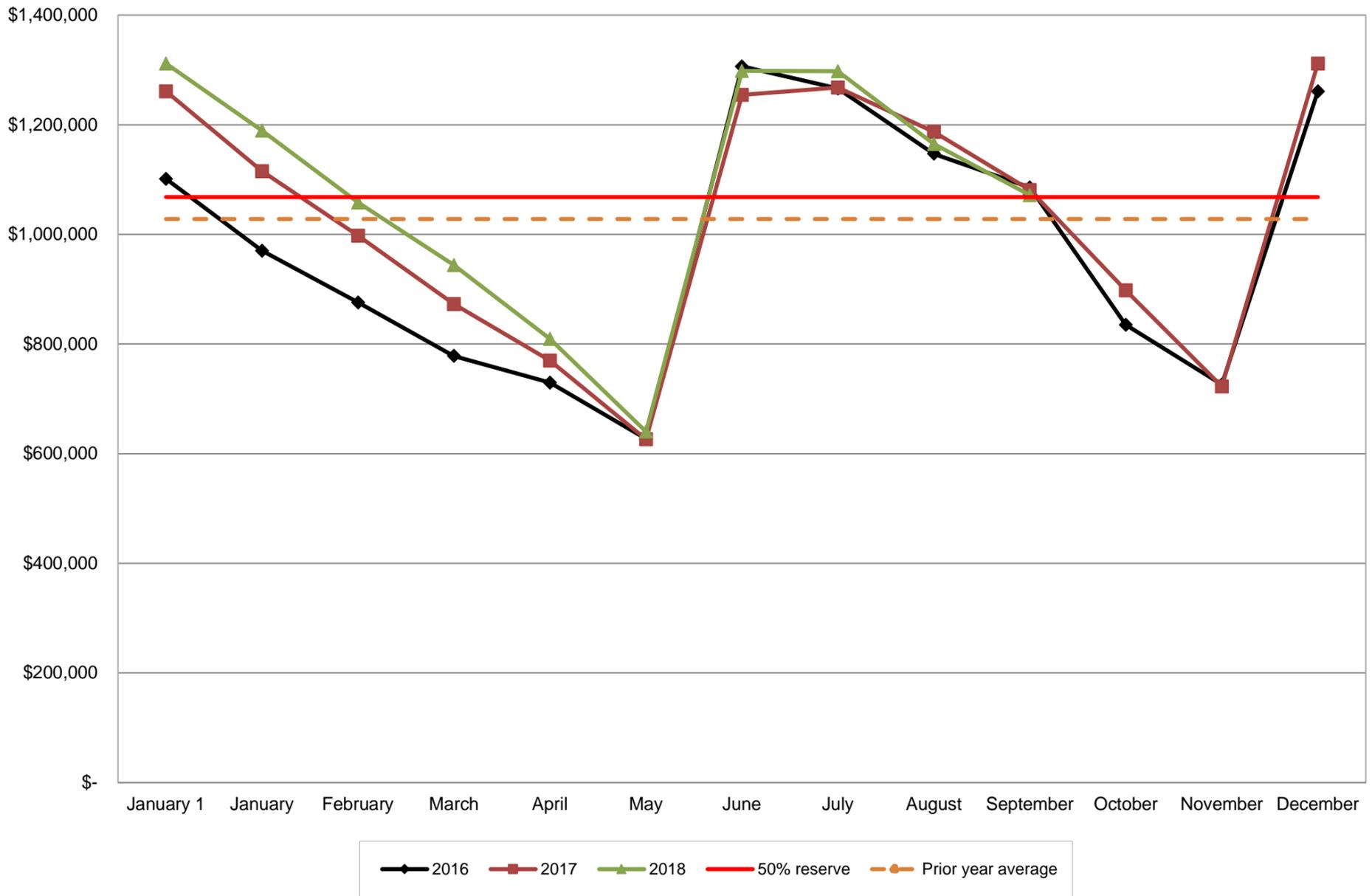
Cash and Investments

The City's cash and investment balances are as follows:

	<u>9/30/2018</u>	<u>12/31/2017</u>	<u>Increase/ (Decrease)</u>
Checking and Savings	\$ 1,681,925	\$ 2,369,648	\$ (687,723)
Investments (at Market Value)	<u>1,293,206</u>	<u>1,281,087</u>	<u>12,119</u>
 Total Cash and Investments	 <u>\$ 2,975,131</u>	 <u>\$ 3,650,735</u>	 <u>\$ (675,604)</u>
<u>Investment Type</u>	<u>09/30/2018</u>	<u>12/31/2017</u>	<u>Increase/ (Decrease)</u>
Checking and Savings	\$ 1,681,925	\$ 1,416,102	\$ 265,823
Cash With Fiscal Agent	-	953,546 *	(953,546)
Brokered CD	<u>1,293,206</u>	<u>1,281,087</u>	<u>12,119</u>
 Total Investments	 <u>\$ 2,975,131</u>	 <u>\$ 3,650,735</u>	 <u>\$ (675,604)</u>

*Note that December 31, 2017 had cash with fiscal agent for the 2015B refunding bond. This was held in an escrow account and was not part of operating cash for the City. If you remove the \$953,546 from the December balance, operating cash is \$2,697,189 which is \$277,942 lower than the September 30, 2018 current balance.

General Fund Cash Balances 2016-2018



General Fund

Receipts	YTD Budget	YTD Actual	Percent of YTD Budget		Disbursements	YTD Budget	YTD Actual	Percent of YTD Budget	
Taxes	\$ 1,240,720	\$ 857,652	69.1 %	↓	Mayor and City Council	\$ 31,552	\$ 37,517	118.9 %	↓
Licenses and permits	64,130	129,434	201.8	↑	City Administration	99,377	93,490	94.1	→
Intergovernmental	187,432	117,780	62.8	↓	City Clerk	118,541	108,102	91.2	→
Charges for service	90,375	93,505	103.5	→	Elections	5,100	2,314	45.4	↑
Fines and forfeitures	11,250	12,022	106.9	→	Assessing	23,625	30,894	130.8	↓
Miscellaneous revenue	9,375	(2,514)	(26.8)	↓	Professional Services	208,313	132,184	63.5	↑
					General government buildin	57,450	50,057	87.1	↑
	<u>\$ 1,603,282</u>	<u>\$ 1,207,879</u>	<u>75.3 %</u>	↓	Police	432,257	373,874	86.5	↑
					Public safety	29,625	25,495	86.1	↑
					Building inspection	71,715	119,679	166.9	↓
					Public works	251,034	248,528	99.0	→
					Parks	128,426	105,191	81.9	↑
					Unallocated	18,000	21,345	118.6	↓
						<u>\$ 1,475,015</u>	<u>\$ 1,348,670</u>	<u>91.4 %</u>	→

Key

- ↑ Varies more than 10% than budget positively
- ↓ Varies more than 10% than budget negatively
- Within 10% of budget

City of Elko New Market, Minnesota
Statement of Revenue and Expenditures -
Budget and Actual -
General Fund (Unaudited)
For the Nine Months Ended September 30, 2018

ATTACHMENT A

	Annual Budget	Actual Through 9/30/2018	Remaining Budget Dollars	Percent Received or Expended Based on Actual through 9/30/2018
Revenues				
Taxes	\$ 1,654,293	* \$ 857,652	\$ 796,641	(1) 51.8 %
Licenses and permits	85,507	129,434	(43,927)	(2) 151.4
Intergovernmental	249,909	* 117,780	132,129	(3) 47.1
Charges for service	120,500	93,505	26,995	77.6
Fines and forfeitures	15,000	12,022	2,978	80.1
Miscellaneous revenue	12,500	(2,514)	15,014	(4) (20.1)
Total Revenues	<u>2,137,709</u>	<u>1,207,879</u>	<u>929,830</u>	<u>56.5</u>
Expenditures				
Mayor and City Council	42,069	37,517	4,552	(5) 89.2 %
City Administration	132,503	93,490	39,013	70.6
City Clerk	158,055	108,102	49,953	68.4
Elections	6,800	2,314	4,486	(6) 34.0
Assessing	31,500	30,894	606	(7) 98.1
Professional Services	277,750	132,184	145,566	(8) 47.6
General government building	76,600	50,057	26,543	65.3
Police	576,342	373,874	202,468	64.9
Public safety	39,500	25,495	14,005	64.5
Building inspection	95,620	119,679	(24,059)	(9) 125.2
Public works	334,712	248,528	86,184	74.3
Parks	171,234	105,191	66,043	(10) 61.4
Unallocated	24,000	21,345	2,655	(11) 88.9
Total Expenditures	<u>1,966,685</u>	<u>1,348,670</u>	<u>618,015</u>	<u>68.6</u>
Excess Revenues (Expenditures)	<u>\$ 171,024</u>	<u>\$ (140,791)</u>	<u>\$ 311,815</u>	<u>(82.3)</u>
Other Financing Sources (Uses)				
Operating transfers out	\$ (169,432)	\$ -	\$ (169,432)	(12) -
Total Other Financing Sources (Uses)	<u>(169,432)</u>	<u>-</u>	<u>(169,432)</u>	<u>-</u>
Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures and Other Uses	<u>\$ 1,592</u>	<u>\$ (140,791)</u>	<u>\$ 142,383</u>	<u>(8,843.7) %</u>

* Property taxes and intergovernmental state aids are only paid twice a year

Item Explanation of items percentage received/expended less than 65% or greater than 85%.

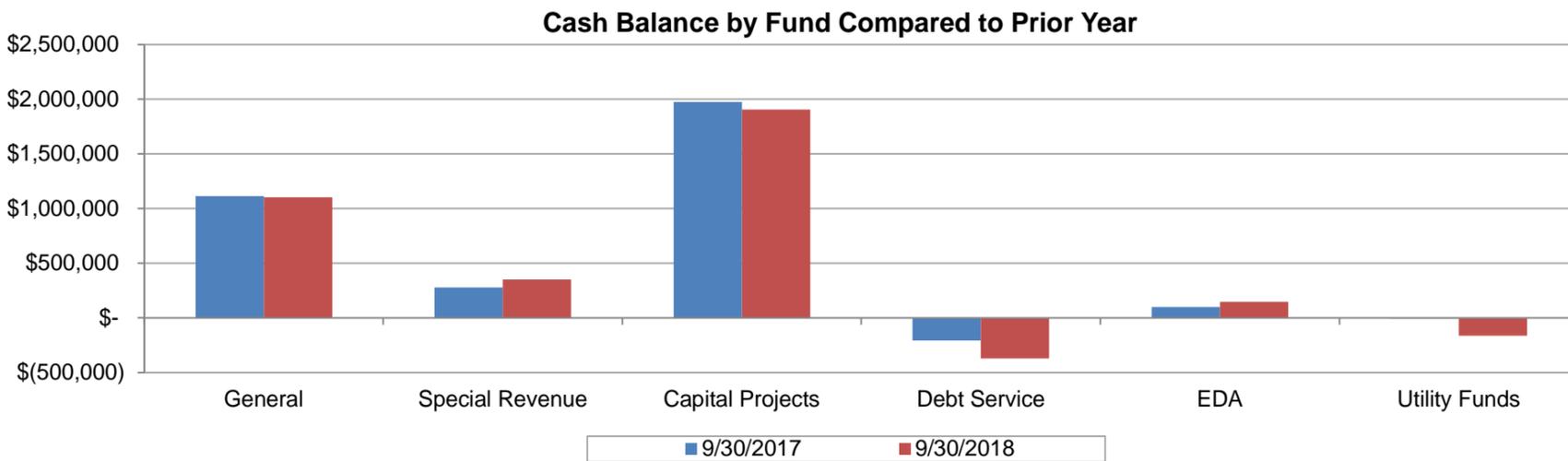
- (1) 1st half tax settlement was received in June 2018 from Scott County. 2nd half will be received in November/December.
- (2) The City received more building permits than budgeted for. This is consistent with Utility Funds.
- (3) Received \$113,000.00 from the local government aid, State aid, and grant income night cap City of Shakopee. City has not received 2nd half LGA payment.
- (4) Sales of General Fixed Assets was coded to this for a total of \$21,300 in 2017. Coding was corrected in 2018 which is the reason for the negative balance.
- (5) Dues and subscriptions are over budget due to timing of payments for these one-time expenses.
- (6) Elections will increase as the mid-term election occurs in the 4th quarter.
- (7) Scott County one-time payment made during 2nd Quarter for entire year of service. This will even out with budget as year continues.
- (8) These services are reliant on general activity and not specific activity during the year. City has had specific activity so budget will be high for 2018.
- (9) Building inspection services are more than double what was projected due to the type and volume of building activity this year.
- (10) Minor repairs and maintenance needed thus far during the year, budget was based on more repairs being needed.
- (11) Insurance only paid out once a year which is causing a timing difference compared to the budget.
- (12) Transfers are not made until year-end during audit prep to remain consistent with previous years'.

City of Elko New Market, Minnesota
 Unaudited Cash Balances by Fund
 September 30, 2017, December 31, 2017 and September 30, 2018

Fund		Balance 09/30/2017	Balance 12/31/2017	Balance 09/30/2018	Change From 12/31/2017	Percent Change From 12/31/2017
101	General fund	\$ 1,113,122	\$ 1,344,179	\$ 1,104,705	\$ (239,474)	(18) %
103	Fire fund	224,992	86,666	237,338	150,672 (1)	174
104	Police forfeiture fund	15,058	12,970	13,599	629	5
230	Park dedication fund	4,243	14,335	52,562	38,227	-
240	Charitable gambling fund	16,309	16,410	23,363	6,953	42
250	Capital projects fund	1,002,183	991,561	894,326	(97,235)	(10)
260	Economic development fund	99,991	147,620	147,224	(396)	(0)
270	PEG fund	4,770	5,954	9,515	3,561	60
280	Community events fund	13,417	14,597	14,170	(427)	(3)
290	SCA construction & maint fund	24,682	24,704	24,784	80	-
300	GO bonds fund	(205,643)	(70,981)	(371,200)	(300,219) (2)	423
400	Developer escrows fund	100,202	75,987	155,517	79,530 (3)	105
433	Fishrock carwash removal fund	2,973	3,541	4,089	548	15
436	Library construction fund	-	-	-	-	-
437	2013 Trail improvements fund	6	6	(6)	(12)	(200)
438	Public works facility fund	2	2	-	(2)	(100)
439	Police garage fund	-	-	-	-	-
441	Elko main streets fund	-	-	-	-	-
442	2015A bond project fund	(42,249)	64,210	(101,228)	(165,438) (4)	(258)
445	Roundabout Construction	-	-	(48,216)	(48,216)	-
501	Capital outlay fund	550,225	698,586	679,086	(19,500)	(3)
503	Capital outlay - fire fund	338,025	326,784	297,391	(29,393)	(9)
510	Developer charges fund	-	-	-	-	-
601	Water fund	435,125	(99,114)	(141,638)	(42,524) (5)	43
602	Sewer fund	(667,784)	(86,899)	(150,631)	(63,732) (6)	73
620	Storm water fund	227,635	79,143	129,401	50,258	64
700	Interest holding fund	(306)	474	980	506	107
Total		\$ 3,256,978	\$ 3,650,735	\$ 2,975,131	\$ (675,604)	\$ 510

Item Explanation of items percentage received/expended of 20% and \$ variance greater than \$50,000 comparing current quarter to prior year.

- (1) One-time payment made from Fire Relief which is made at beginning of year.
- (2) Bonds are recouped by tax dollars of which only half have been received for 2018. The biggest bond payments of principal and interest occur in February of every year. Cash balance is expected to decrease during the year until all tax settlements have been received in December.
- (3) Variance due to more developments in 2018, this is a good variance to have.
- (4) Bonds are recouped by tax dollars of which only half have been received for 2018. The biggest bond payments of principal and interest occur in February of every year. Cash balance is expected to decrease during the year until all tax settlements have been received in December.
- (5) Decrease due to bond payments being made in 2018 already with three months of water activity to cover the bond payment still left in the year.
- (6) Decrease due to bond payments being made in 2018 already with three months of sewer activity to cover the bond payment still left in the year.



Fund	
→ General Fund	↓ Debt Service Funds
↑ Special Revenue Fund	↑ EDA Funds
→ Capital Projects Fund	↓ Utility funds

- Key**
- ↑ Balance increased more than 10% over prior year
 - ↓ Balance decreased more than 10% over prior year
 - Balance within 10% of prior year

City of Elko New Market, Minnesota
Statement of Revenues and Expenses -
Budget and Actual -
Sewer Fund (Unaudited)
For the Nine Months Ended September 30, 2018

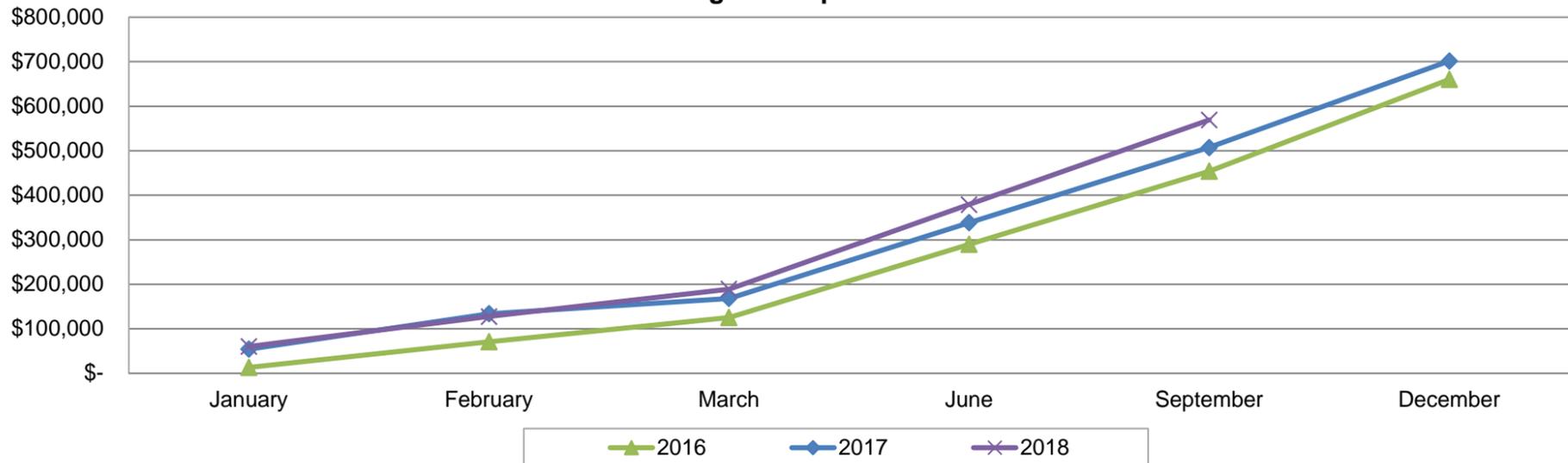
SEWER FUND

	Annual Budget	Actual Thru 09/30/2018	Variance - Favorable (Unfavorable)	Percent Change from Prior YTD
Revenues				
Special Assessments	\$ -	\$ 71,191	\$ 71,191 (1)	- %
User charges	790,000	569,250	(220,750)	72.1
Connection charges	281,510	279,290	(2,220) (2)	99.2
Other	-	36	36	-
Interest earnings	-	-	-	-
Total Revenues	1,071,510	919,767	(151,743)	(24.9)
Expenses				
Wages and salaries	157,532	105,636	51,896	67.1
Employee benefits	55,239	40,752	14,487	73.8
Materials and supplies	49,544	25,747	23,797 (3)	52.0
Repairs and maintenance	30,800	12,138	18,662 (4)	39.4
Professional services	59,000	40,471	18,529	68.6
Insurance	7,500	7,418	82 (5)	98.9
Utilities	13,600	8,485	5,115	62.4
Depreciation	244,000	-	244,000	-
Miscellaneous	1,000	35	965 (6)	3.5
Metro Sewer service charges	287,966	280,637	7,329 (7)	97.5
Capital Improvements	-	-	-	-
Bond principal and interest	359,802	257,643	102,159	71.6
Total Expenses	\$ 1,265,983	\$ 778,962	\$ 487,021	39.8 %

Item Explanation of items percentage received/expended less than 60% or greater than 90%.

- (1) Budget is not established for special assessments resulting in variance.
- (2) Sewer access charges are higher than the budgeted amounts due to new development.
- (3) City has not had any major expenses compared to the budget for the Materials and supplies.
- (4) No significant repairs and maintenance needed thus far through the year, well under budget.
- (5) Insurance is only paid once a year during June. This will even out as year progresses.
- (6) No significant miscellaneous expenses that were budgeted for have occurred.
- (7) MCES SAC significantly higher than the budgeted amount due to new development/ new homes

Sewer User Charges Comparison 2016 - 2018



City of Elko New Market, Minnesota
Statement of Revenues and Expenses -
Budget and Actual -
Water Fund (Unaudited)
For the Nine Months Ended September 30, 2018

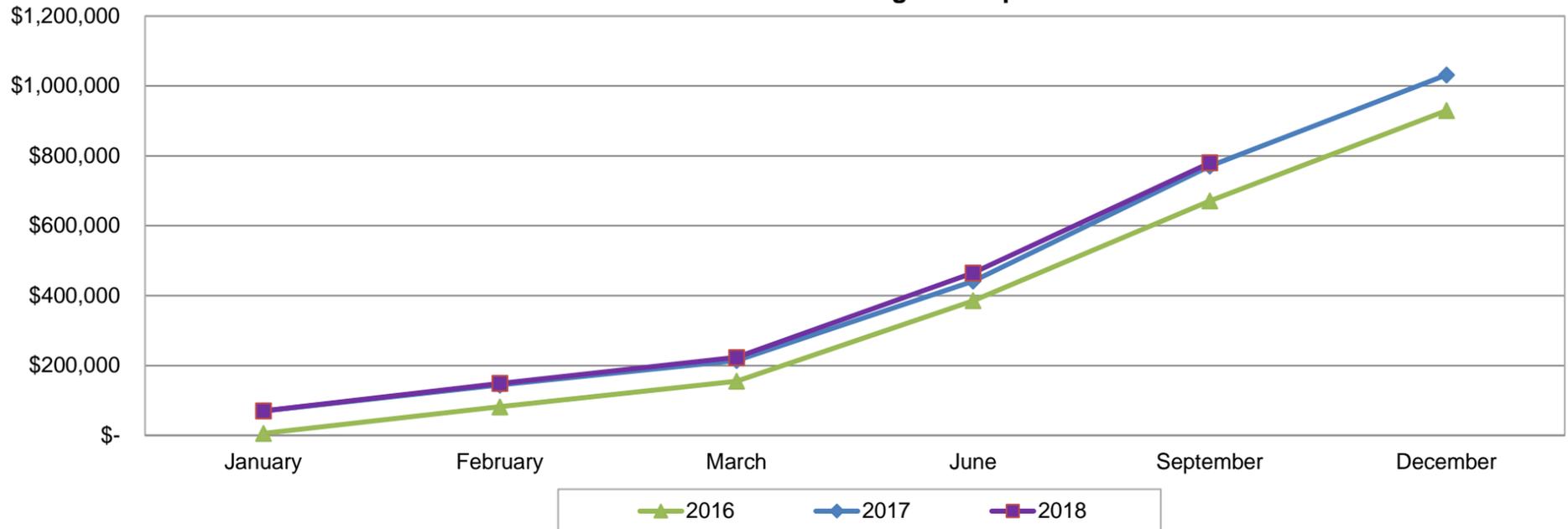
WATER FUND

	Annual Budget	Actual Thru 09/30/2018	Variance - Favorable (Unfavorable)	Percent Budget thru YTD
Revenues				
Special Assessments	\$ -	\$ 3,543	\$ 3,543 (1)	- %
User charges	1,065,805	780,008	(285,797)	73.2
Connection charges	202,955	152,751	(50,204)	75.3
Other	-	4,946	4,946	-
Interest earnings	1,500	502	(998) (2)	33.5
Total Revenues	1,270,260	941,750	(328,510)	74.1
Expenses				
Wages and salaries	174,059	120,084	53,975	69.0 %
Employee benefits	63,288	47,205	16,083	74.6
Materials and supplies	85,194	55,367	29,827	65.0
Repairs and maintenance	40,800	40,607	193 (3)	99.5
Professional services	80,350	43,173	37,177 (4)	53.7
Insurance	15,500	8,528	6,972 (5)	55.0
Utilities	80,000	52,729	27,271	65.9
Depreciation	445,000	-	445,000	-
Miscellaneous	1,000	263	737 (6)	26.3
Capital Improvements	30,000	-	30,000	-
Bond principal and interest	767,867	742,613	25,254 (7)	96.7
Total Expenses	\$ 1,783,058	\$ 1,110,569	\$ 672,489	62.3 %

Item Explanation of items percentage received/expended less than 60% or greater than 90% .

- (1) Budget is not established for special assessments resulting in variance.
- (2) Budget for interest was based on moving more dollars to investment accounts, which has not occurred.
- (3) Significant Water repairs and maintenance needed \$23,000.00 in September for Core and Main.
- (4) City has not had any major expenses compared to budget for the engineering fees.
- (5) Budgeted \$15,500 for insurance of which the costs were only \$8,500 resulting in a \$7,000 savings for 2018.
- (6) No significant miscellaneous expenses that were budgeted for have
- (7) First and second bond payments have been made in 2018.

Water Revenue from User Charges Comparison 2016 - 2018



City of Elko New Market, Minnesota
Statement of Revenues and Expenses -
Budget and Actual -
Storm Water Fund (Unaudited)
For the Nine Months Ended September 30, 2018

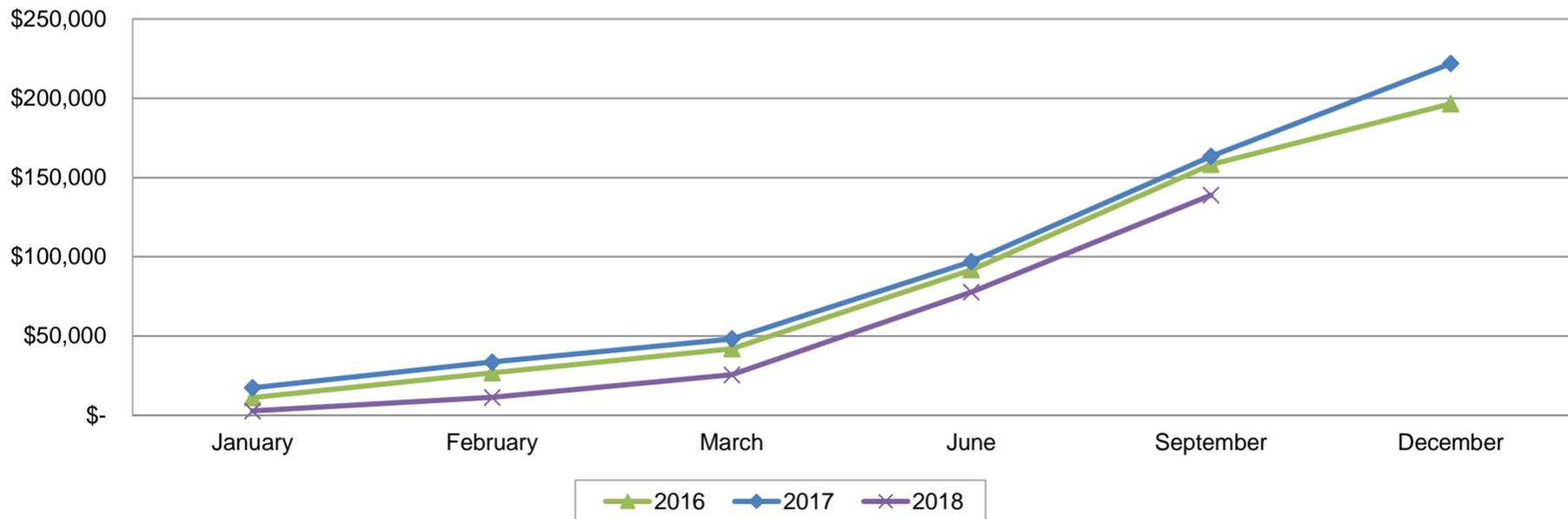
Storm Water

	Annual Budget	Actual Thru 09/30/2018	Variance - Favorable (Unfavorable)	Percent Change from Prior YTD
Revenues				
Special Assessments	\$ -	\$ 3,488	\$ 3,488 (1)	- %
Charges for services	192,250	138,928	(53,322)	72.3
Connection charges	81,185	58,336	(22,849)	71.9
Other	-	(319)	(319)	-
Interest earnings	-	139	139	-
Total Revenues	273,435	200,572	(72,863)	(39.9)
Expenses				
Wages and salaries	34,963	22,156	12,807	63.4
Employee benefits	11,528	8,638	2,890	74.9
Materials and supplies	20,322	15,296	5,026	75.3
Repairs and maintenance	15,320	3,988	11,332 (2)	26.0
Professional services	49,375	16,972	32,403 (3)	34.4
Insurance	500	1,343	(843) (4)	268.6
Depreciation	100,000	-	100,000	-
Miscellaneous	1,000	12	988 (5)	1.2
Capital Improvements	10,000	-	10,000	-
Bond Principal and Interest	121,357	79,504	41,853	65.5
Total Expenses	\$ 364,365	\$ 147,909	\$ 216,456	131.2 %

Item Explanation of items percentage received/expended less than 60% or greater than 90% .

- (1) Budget is not established for special assessments resulting in variance.
- (2) The City has not had any major expenses compared to budget for the repairs and maintenance items related to the Facilities.
- (3) City budgeted for expenses related to engineering which have not been incurred thus far.
- (4) City insurance amount was larger than budget; budget was based off of 3% inflation increase.
- (5) No significant miscellaneous expenses that were budgeted for have

Storm Water Charges for Services Comparison 2016 - 2018



Current short-term rates being offered by financial institutions are very low as evidenced by the table of U.S. Treasury rates below. The U.S. Treasury rates provide a benchmark perspective for rate of return. This information is provided to show that the amount of interest that cities are earning is very minimal especially if investments are locked in for 3 years or less.

Date	Treasury Yields								
	1 mo	3 mo	6 mo	1 yr	2 yr	3 yr	5 yr	7 yr	10 yr
12/31/2012	0.02	0.05	0.11	0.16	0.25	0.36	0.72	1.18	1.78
12/31/2013	0.01	0.07	0.10	0.13	0.38	0.78	1.75	2.45	3.04
12/31/2014	0.03	0.04	0.12	0.25	0.67	1.10	1.65	1.97	2.17
03/31/2015	0.05	0.03	0.14	0.26	0.56	0.89	1.37	1.65	1.87
06/30/2015	0.02	0.01	0.11	0.28	0.64	1.01	1.63	2.07	2.35
09/30/2015	-	-	0.08	0.33	0.64	0.92	1.37	1.75	2.06
12/31/2015	0.14	0.16	0.49	0.65	1.06	1.31	1.76	2.09	2.27
3/31/2016	0.14	0.20	0.39	0.61	0.76	0.91	1.26	1.60	1.83
6/30/2016	0.20	0.26	0.36	0.45	0.58	0.71	1.01	1.29	1.49
9/30/2016	0.20	0.29	0.45	0.59	0.77	0.88	1.14	1.42	1.60
12/31/2016	0.44	0.51	0.62	0.85	1.20	1.47	1.93	2.25	2.45
3/31/2017	0.74	0.76	0.91	1.03	1.27	1.50	1.93	2.22	2.40
6/30/2017	0.84	1.03	1.14	1.24	1.38	1.55	1.89	2.14	2.31
9/30/2017	0.96	1.06	1.20	1.31	1.47	1.62	1.92	2.16	2.33
12/31/2017	1.28	1.39	1.53	1.76	1.89	1.98	2.20	2.33	2.40
3/31/2018	1.63	1.73	1.93	2.09	2.27	2.39	2.56	2.68	2.74
6/30/2018	1.77	1.93	2.11	2.33	2.52	2.63	2.73	2.81	2.85
9/30/2018	2.12	2.19	2.36	2.59	2.81	2.88	2.94	3.01	3.05

* * * * *

This information is unaudited and is intended solely for the information and use of management and City Council and is not intended and should not be used by anyone other than these specified parties.

If you have any questions or wish to discuss any of the items contained in this letter or the attachments, please feel free to contact us at your convenience. We wish to thank you for the continued opportunity to be of service and for the courtesy and cooperation extended to us by your staff.

Sincerely,

AEM FINANCIAL SOLUTIONS, LLC



STAFF MEMORANDUM

SUBJECT:	Monthly Public Works Report – October 2018
MEETING DATE:	November 15, 2018
PREPARED BY:	Corey Schweich, Public Works Superintendent
REQUESTED ACTION:	Information Only

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance “shovel ready” status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND:

Staff is presenting a written report for Public Works activities in October.

DISCUSSION:

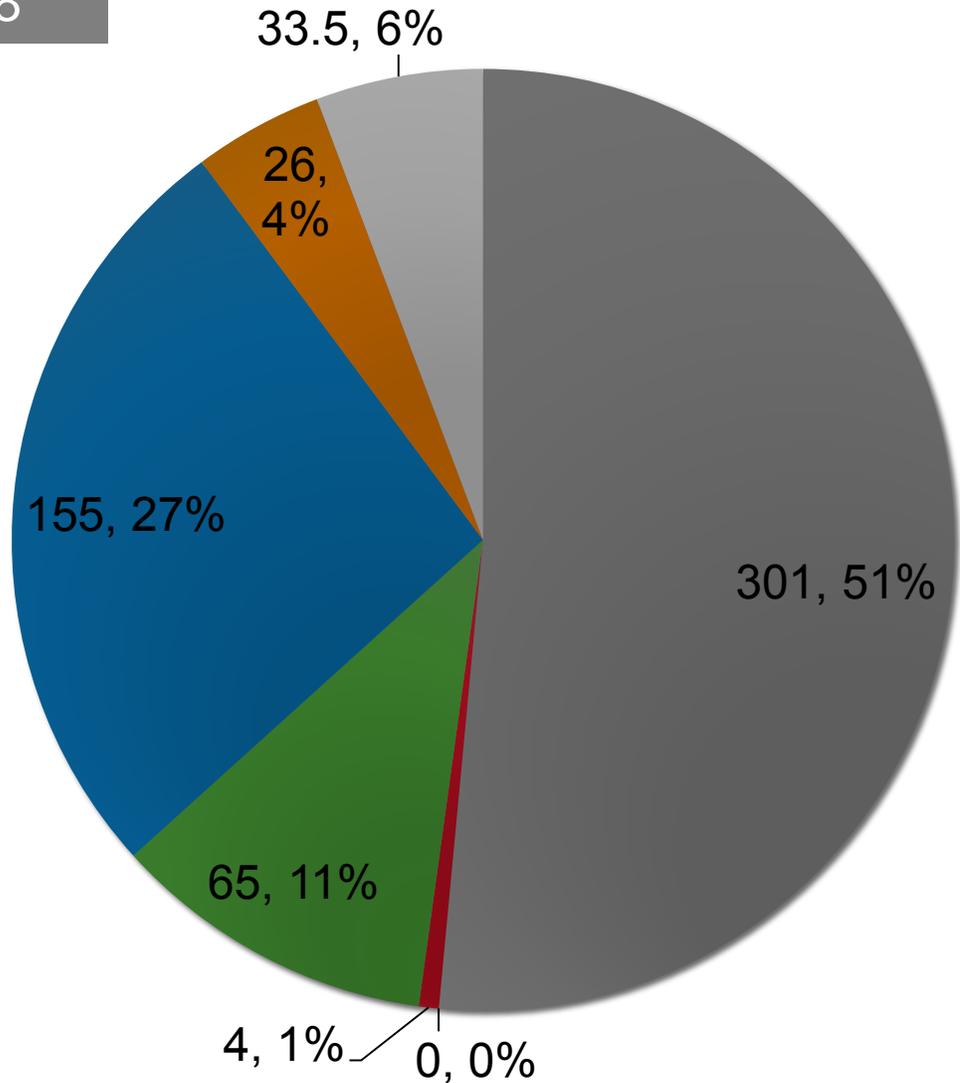
- Public Works Staff had to dig up and repair a broken storm sewer line on Carter St.
- Staff has continued inspecting and operating gate valves throughout the community. Gate valves are used to turn off water in the street, if there was a break. The valves should be operated (opened & closed) every couple of years to ensure they are working properly. During the inspection, Staff will note any damage or any other issues that need to be addressed, and will make the repairs as needed. Many of the tops have been repaired.
- As previously reported, Staff is working on filling the vacant Maintenance Worker I position. Staff has chosen a finalist to be moved into a background investigation, and hope to have the position filled sometime in November as winter is coming soon.
- The Seasonal Maintenance Worker position has also been filled; Justin Weigel has started working.
- Staff repaired the blacktop on Aaron Drive in the location where the water repair had occurred.
- As part of the regional safety group made up of Elko New Market, Lakeville, and Farmington, Staff attended AWAIR training this month. Staff will continue to attend monthly safety trainings through this group.
- Staff cleaned up the graffiti that occurred in the portable restrooms at Wagner Park.
- As part of the seasonal changeover, Staff has put all of the mowing equipment away for the season, and has started to prep the snow and ice control equipment for the winter season.
- Fall hydrant flushing has been completed. Staff will pump down non draining hydrants in the next couple weeks.
- Staff has started to turn the heaters on in the well houses and towers as the temperatures start to drop.
- Staff installed orange stakes along sidewalk, bike path and parking areas around the City. The stakes are used to help the operator identify where the trail or sidewalk is located after a snowfall, as it is very challenging during the first couple snow and ice control events.
- The contractor has finished the solar panels on the Public Works Facility, all of the inspections have been completed and they should be fully operational.
- Fall street sweeping has been completed.
- Maintenance Workers Hill and Fitterer successfully passed their water operators test and now have their class "D" water operator licenses.
- Staff has listed some seized vehicles and surplus equipment on Govdeals.com. Proceeds from the sale of the seized vehicles will go into the police forfeiture fund and the other proceeds will go into general equipment.
- As previously reported, Polzin Glass was hired to replace the front doors and openers at City Hall, the work has started and they are planning to have everything completed before the general elections.
- Staff shut down and winterized the shelter at Wagner Park.
- The exterior of the New Market water tower has been scheduled to be cleaned in November. The contractor had originally thought they wouldn't be able to get it cleaned until spring, but had an opening.

- Staff has contacted two different contractors to do a mold assessment on the Police Department. Both contractors have found mold in the building, and will provide a recommendation of what type of remediation and when it should be completed. The contractor's recommendation was to clean the furnace ducts, purchase a couple hepa type air purifiers to see if that makes a difference inside the building. So far, the air purifiers have helped tremendously. Staff will continue to monitor the situation, but there will be some mold remediation that will have to be completed as part of the remodel.
- Gravel roads have been graded.
- As previously reported, the pumps and other associated equipment was in need of replacement at the Carter Street lift station, that work has been completed. Quality Flow was originally scheduled to get them installed early in the month, but the City's vac truck had experienced a breakdown. The installation had to be pushed a couple weeks until the truck was fixed.
- The Department has been extremely busy dealing with various minor breakdowns within the fleet department. Joe has done an excellent job juggling projects, depending on equipment needs.

PUBLIC WORKS Combined Time By Department

October 2018

Total Hours:
584.50



- Public Works
- Buildings
- Water
- Stormwater
- Snow Plowing
- Parks & Grounds
- Sewer



STAFF MEMORANDUM

SUBJECT: Monthly Police Activity – October 2018
MEETING DATE: November 15, 2018
PREPARED BY: Steve Mortenson, Chief of Police
REQUESTED ACTION: Information Only.

COMMUNITY VISION:

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- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND:

Staff is presenting a written report to the City Council reporting on Police Department activities for the past month.

DISCUSSION:

October 22 – 26 Officer Melissa Wirtz attended a free week long training course on Interview and Interrogation. Training focused on subconscious communication for interview and interrogation.

October 23 – Toward Zero Death Conference – Chief Steve Mortenson was a presenter at a break out session for this conference. He spoke specifically about “The Point of Impact” presentation given annually in Elko New Market and how the Police Department engages the Chamber of Commerce to assist.

October 25 – Staff attended training on Northern Natural Gas. Representatives from Northern Natural Gas explained their response in an emergency and outlined where the gas line runs through the city.

October 31 – Officer Josh Gareis spoke to kindergarten class about “Stranger Danger” and other safety measures. Stickers were handed out and police equipment shown to the students.

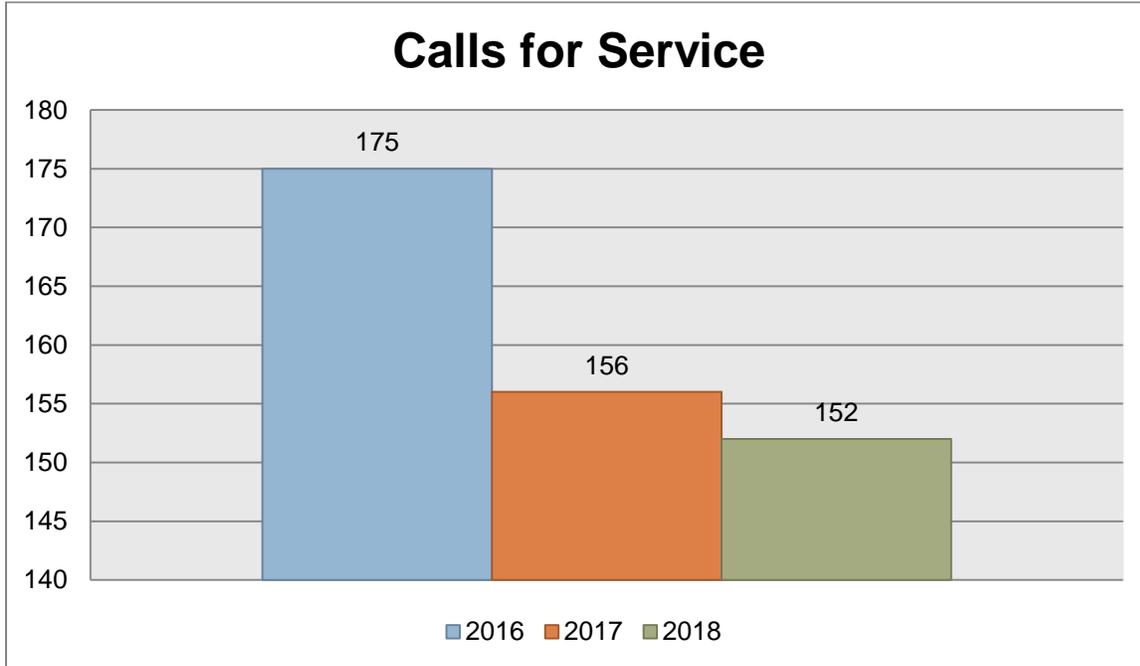
STATISTICAL INFORMATION – OCTOBER 2018

Types of calls officers responded to:

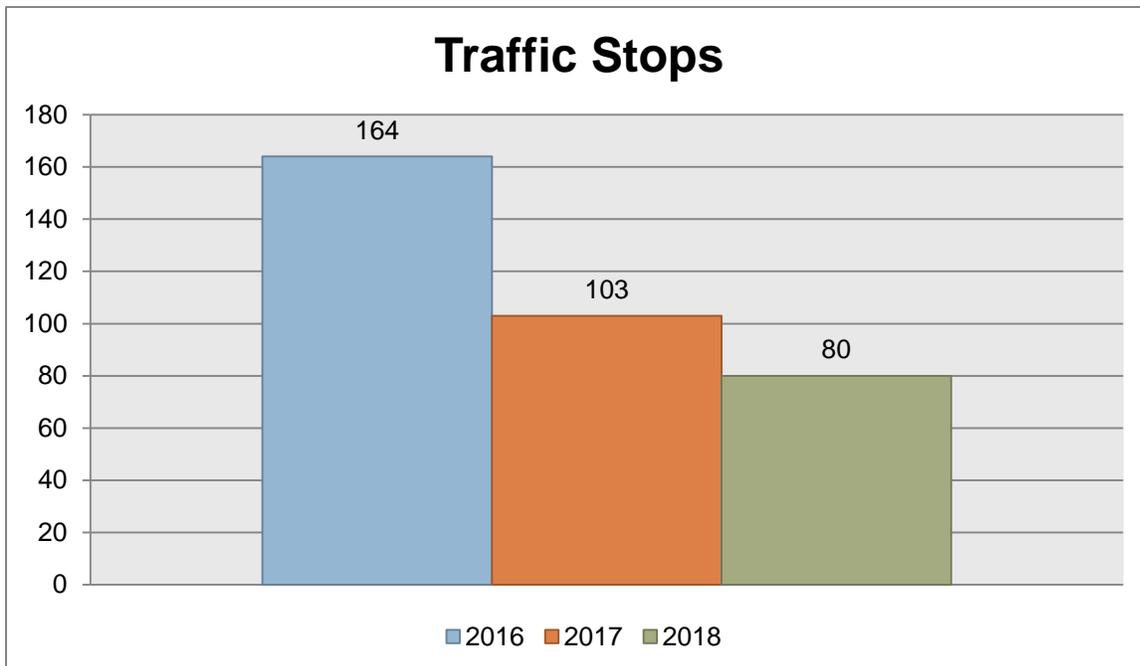
- 1 Assault
- 1 Burglary
- 2 Alarms – (false trip)
- 28 Assist Another Agency – Assist to Scott County Sheriff's Office
- 4 Domestic (verbal only, no assault.)
- 2 Disturbances
- 11 Medicals
- 6 Traffic Complaints
- 4 Theft
- 2 Harassing Communication
- 2 Vandalism
- 3 Noise complaints
- 2 Motor vehicle crash
- 1 Motor vehicle crash with injury
- 12 Suspicion (Includes: Suspicious activity, vehicles and people.)

No one was arrested during the month of October 2018.

Calls for Service:



Total Traffic Stops:



80 traffic stops were conducted in October 2018. **67** warnings issued and **13** citations issued for speed, stop sign violation, no proof of insurance/no insurance, no seat belt use, and driving after revocation.

Total Incidents Handled:

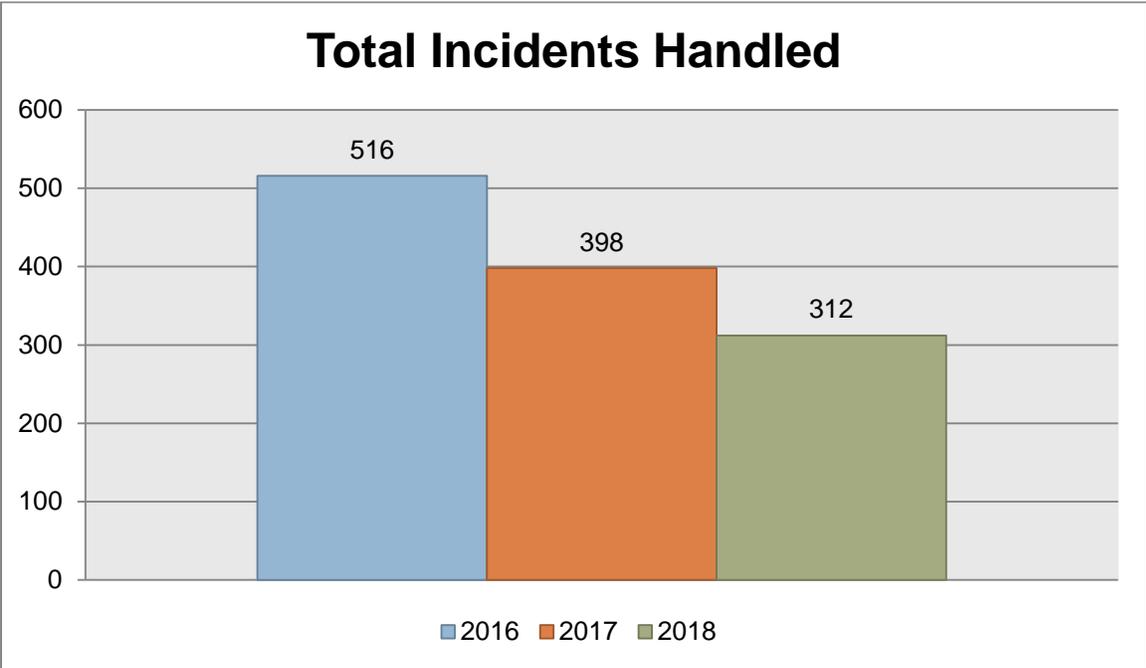
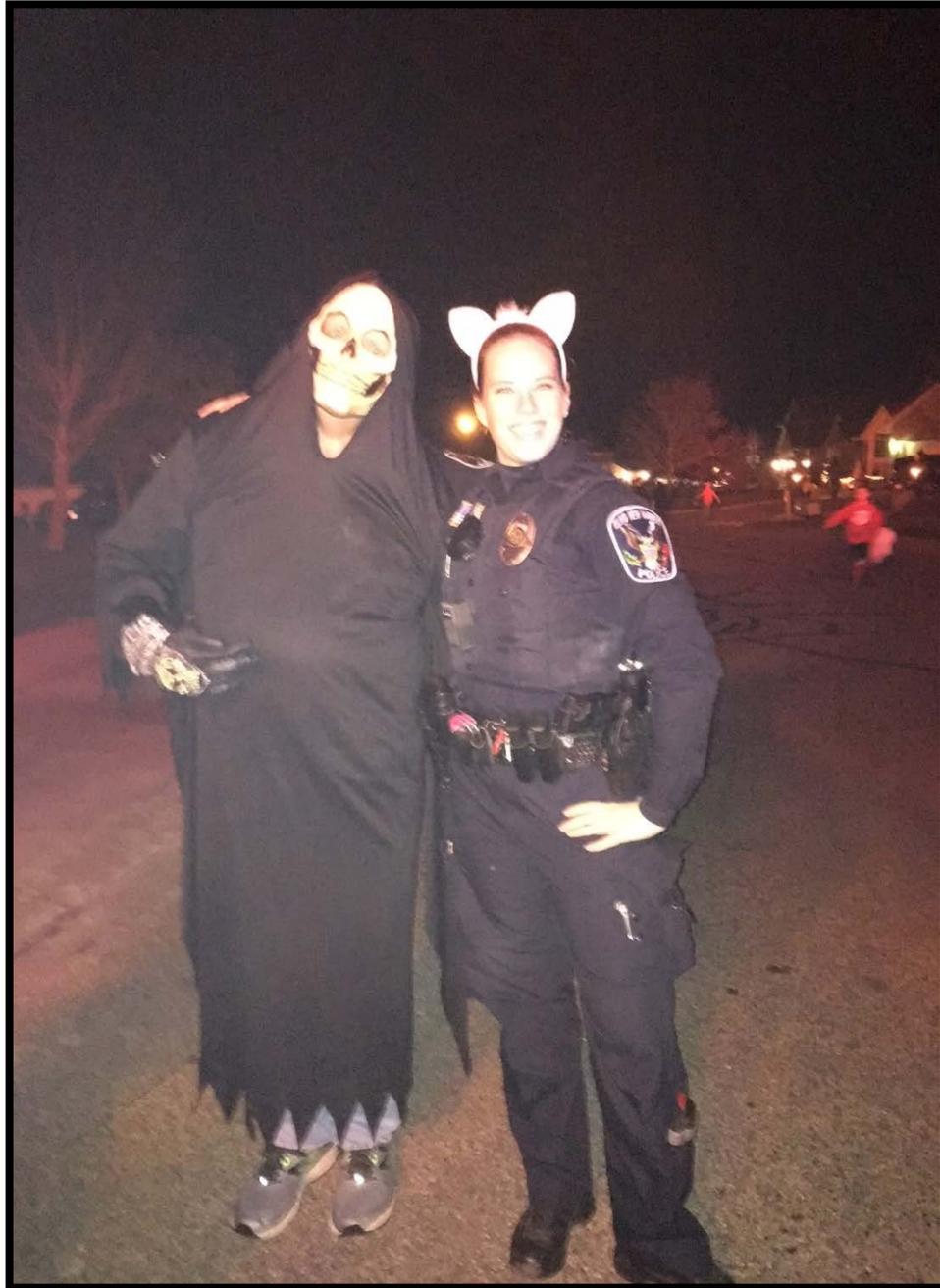


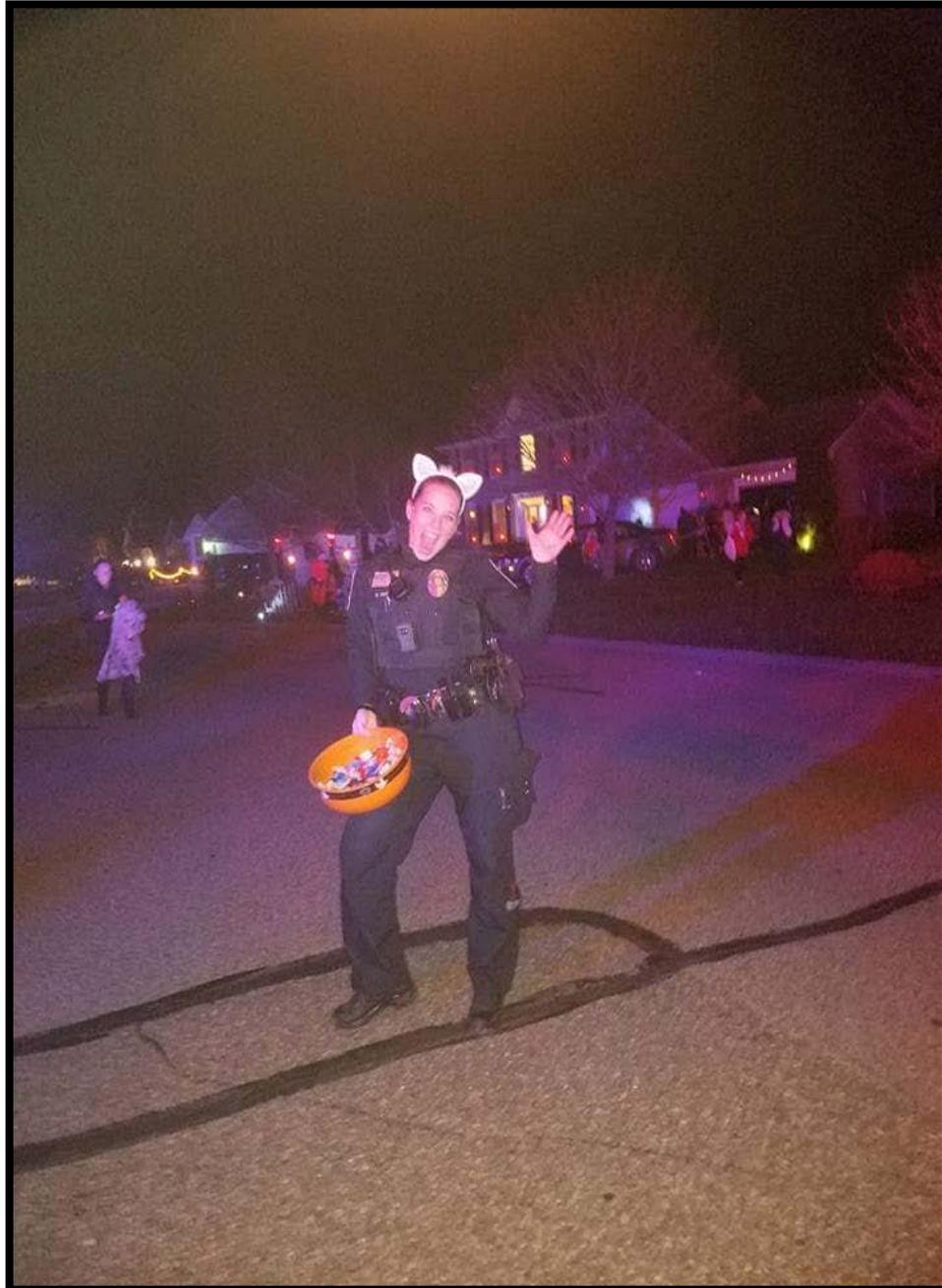
Photo Album

Steve Mortenson

Chief of Police



Halloween 2018



Halloween 2018



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

MEMORANDUM

Date: November 15, 2018
To: Mayor Crawford and Members of the City Council of Elko New Market
Tom Terry, City Administrator
From: Rich Revering, PE – City Engineer
Subject: 2019 Pavement Rehabilitation Feasibility Report Update
Elko New Market
Project No.: T17.116817

BACKGROUND

Council ordered preparation of a feasibility report for the above-referenced project at its August 23rd, 2018 regular meeting. The report is a required step for project financed all or in part by Special Assessments. The report has been drafted and is under review by City staff.

DISCUSSION

The City Engineer will present an update on key information from the report for council feedback under the Engineering Report. The following three issues are anticipated to be of particular interest to the Council:

1. Assessment Amount per RED – The estimated special assessment amount per Residential Equivalent Density previously reported to the Council was discovered to have been based on an erroneous computation of asphalt quantities. A review of the computation in preparation for certifying the report revealed the formula only accounted for new asphalt over edge milling areas rather than across the entire street. This has been corrected. The resulting special assessment per RED is \$1,016.17 if all else is held equal. The Council had been advised during the Feasibility Study Preview on Oct. 4, 2018 that this amount was projected to be around \$700.00.
2. Commercial RED Computation – Staff is reviewing methods for assigning a fair number of REDs for the four commercial parcels in the project. These include two bars in downtown Elko, the golf clubhouse, and the Boulder Pointe Pool. The intention is to find a consistent means of tying traffic generation relative to single family uses to these uses. The method currently in the draft assessment roll uses SAC units computed by MCES. The rationale is that water usage is a consistent measure of human activity on a site, including associated traffic. SAC unit computation methods are well defined in the MCES SAC manual, so a uniform basis of computation is available for all sorts of land uses.

Staff feels this method; however, may overestimate activity at the golf club and would result in an assessment that may not be supported by the Special Benefit test. We are evaluating whether an adjustment to the REDs based on MCES SAC numbers is warranted based on actual water use.

Date: November 15, 2018

Council is advised that reducing REDs on commercial units will have the effect of either increasing the assessment rate per RED or increasing the City's share of costs.

3. Perpendicular Parking in Downtown Elko – Staff is proposing in the current version of the report that 39 of approximately 60 available perpendicular parking stalls be assessed to the two commercial parcels at 40 percent of cost and based on each use's shortage of off-street stalls and only with the consent of the owners. Other stalls would be considered an offset to the lack of parallel parking available to residential uses on this street and the cost included in residential assessments. Staff further recommends that if consent to the assessments for parking cannot be gained from the two bar owners, the perpendicular parking be eliminated in favor of parallel parking only.

Cost impacts and other details will be presented at the meeting.

RECOMMENDATION

No action will be required at this meeting.

End of Memo



STAFF MEMORANDUM

SUBJECT:	Wagner Properties Letter
MEETING DATE:	November 15, 2018
PREPARED BY:	Renee Christianson, Community Development Specialist
REQUESTED ACTION:	No Action Requested, Informational Item

COMMUNITY VISION:

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5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
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- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

Staff is aware that the City Council received a letter from Wagner Properties LLC dated October 5, 2018 (attached) regarding potential annexation and future land uses for a 73 acre property that they own adjacent to I-35/Irving Avenue.

In an effort to acknowledge and respond to her letter, staff did reach out to owner representative, Nola Wagner. The current land use guidance for the property and also the future land uses that are under consideration as part of the 2040 Comprehensive Plan were discussed. Also discussed was general information regarding annexation. Specifically, Mrs. Wagner suggested that the City may be interested in annexing the property for City use. It was explained to Mrs. Wagner that annexation typically occurs through property owner petition, when a development is being proposed, and when the property is ready for development.

Mrs. Wagner seemed satisfied with the discussion and staff will keep her informed of any open houses or comment periods related to the 2040 Comprehensive Plan. The property is currently listed on the MLS for \$999,900.

REQUESTED ACTION:

This item is provided for informational purposes only.

Attachments:

Wagner Partners, LLP letter dated October 5, 2018

Wagner Partners, LLLP

October 5, 2018

Robert "Bob" Crawford, Mayor, City of Elko New Market
Josh Berg, Councilmember, City of Elko New Market
Joe Julius, Councilmember, City of Elko New Market
Kate Timmerman, Councilmember, City of Elko New Market

City of Elko New Market
PO Box 99
Elko New Market, MN 55020-0099

Re: Parcel ID 089260070 - Zoning Guidance under comprehensive plan.

Dear Mayor and Councilmembers of Elko New Market,

We are the owners of approximately 73 acres located in Scott County in the southeast corner of the intersection of I 35 and 260th St. East.



We acquired this property many years ago with the intent of moving our company's operations to this new location. Unfortunately, my husband passed away suddenly and we are unable to execute our plans. As a result, we are planning to sell the property.

We have been informed that this property is currently guided as "Low Density Residential and Residential Use" in Scott County's current Comprehensive Plan. We also understand that your city may be annexing our property and the surrounding property. Finally, we understand that you are in the process of reviewing your Comprehensive Plan.

The purpose of this letter is to address the two items that are mentioned above. We are proposing that should our property be annexed into your city, that your comprehensive plan be amended so as to provide that our property be guided by a designation that includes commercial use with outside storage. Such a designation would provide an appropriate buffer between I 35

Mayor and Councilmembers, City of Elko New Market
October 5, 2018
Page 2

and the residential properties to the west of our property. Such a designation would also be consistent with current zoning and zoning guidance for the property north of our property which abuts the south side of 260th St. East (e.g. Traders Market, NDS Drilling Supply Niemeyer Trailer Sales, and Twin Cities Featherlike Trailer). These items are extremely important to our family and we believe this change in zoning guidance will allow for growth in your area in the near future by providing an appropriate buffer between residential properties and I 35.

Thank you for your consideration, and please contact me, should you or anyone in the City have any questions/concerns.

Sincerely,

Wagner Partners, LLLP

By: *Nola Wagner*
Nola Wagner, General Partner
7000 Lyndale Avenue South
Minneapolis, MN 55423
(612) 666-8335

ENM Parks Commission Update

October 31, 2018

1. The City Council approved a budget of \$171,234.00 for the Parks Department for 2018. Through August 31, 2018, expenditures total \$92,056.20, or about 53.76%, of the total budgeted. We are well under the 67 % guideline for the first 8 months of 2018!
2. The Rowena Pond Park RePurposing Master Plan is now underway! The Public Works Department has completed the first phase by relocating the playground equipment. Now that the playground equipment has been moved, the next step will be to move the baseball field. I will be meeting with the neighbors adjacent to the park before that part of the project is started to go over resolution of their current drainage issues once the City Engineer has determined options. A further update will be ready for the November Meeting Agenda.
3. The Wagner Park Shelter will close on Monday, October 29th for the winter. The SkatePark will remain open during regular park hours until cold weather sets in for good.
4. As we discussed at the September Parks Commission Meeting, we need about \$2,000 to buy new archery equipment for next season. I am currently looking into grants for the equipment from the National Wild Turkey Federation and the Minnesota Deer Hunters Association. If the search for grants doesn't work out, then we'll purchase the equipment before the end of the year depending on how much remains in our budget.
5. The Elko Baseball Team request for a fence that would surround Old Elko City Hall Park. The City Council approved the concept of movable gates that will only be closed during ballgames and approved an Encroachment Agreement, which legally addresses the design, installation and maintenance of the fence, at the April 12th City Council Meeting. The Team provided the City Attorney with the proper deed indicating their ownership, the Agreement has been signed by both parties and the reimbursement for the City Attorney's expenses has now been received. The contractor came in, paid for the permit, and the fence is now complete. The next step is for me is to approve the construction as per design, which I should have completed by the November Parks Commission Meeting.
6. The City Council approved a Resolution to accept the donation of \$700 by the N.E.W. Lions Club for the purchase of an electric stove/oven for the

Wagner Park Shelter on July 26th. I personally thanked the Lion's Club for their donation when they stopped by with the check a couple of weeks ago and we'll thank them again once it's purchased and installed. The Parks Commission approved the purchase at their September meeting. The Sears Kenmore Stove/Oven was purchased and picked up by the Public Works Crew in Coon Rapids on Tuesday, October 22nd and has been installed for use next year! Once again, thanks to the Lions for their generous donation!

7. The City's new contact for 3 Rivers Park System programming will be Tyler Thompson, who will be starting on July 30th. He will be doing programs such as geocaching for s'mores, winter survival skills, and archery...and, maybe some others for us! I hope to meet with him in mid-November to talk about the Winter programming.
8. Unfortunately, August was a bad month for vandalism in City parks. After approval for the Wagner Park Shelter repairs at the September 11th Parks Commission meeting, I signed the contract and emailed it in. I'm currently waiting for a date from Morton Buildings for the repairs.
9. Also, the plaque on the bench at Pete's Hill was damaged, so I had Lakeville Trophy make a new one to put on, as well as a replacement. I received them on Friday, October 12th and it has now been installed.
10. I met with Michelle Moschkau after the April meeting to discuss her request for a bench along the CSAH 91 bike/hike trail for resting and watching the annual migration of trumpeter swans, and other birds, that stop on the pond. The best viewing is not on city-owned property, so I contacted the property owner, who is still considering it. Hartman Sadusky for his Eagle Scout Project built a couple of extra benches to use there assuming approval can be obtained...maybe we can have them out there next Spring when the swans return!
11. This month, we'll start to get ready for our "Fabulous February" events! Again, a special thanks to Jessica Davidson and New Prague Community Ed for their support in managing these events!
12. As you can see from the grading going on, there has been further action by the developer of the Christmas Pines subdivision on an offer for the Parks Commission to accept approximately 7.5 acres of land off of Dakota Avenue at the City's northern boundary, instead of paying Park Dedication fees for the proposed subdivision. I will update you on the latest conversations at the November meeting.

13. At the request of Commissioner Dornseif, I will put together quotes for additional pet waste stations. I will have them for you at the November Parks Commission Meeting.
14. A reminder that the next Parks Commission Meeting will be on Tuesday, November 13th, 2018 at 4:00 PM at ENM City Hall. We'll start with planned Public Meeting on the Disc Golf Course. See you there!



STAFF MEMORANDUM

SUBJECT:	Performance Evaluation - City Administrator
MEETING DATE:	November 15, 2018
PREPARED BY:	Thomas Terry, City Administrator
REQUESTED ACTION:	Closed Meeting Discussion

COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

BACKGROUND

The City Council is being asked to conduct the annual performance evaluation of the City Administrator. This performance evaluation will be held as a Closed Meeting following the Reports Section of the Business Agenda.

In accordance with the established procedure for the City Administrator's annual performance evaluation, the City Attorney has prepared an Appraisal Summary, incorporating feedback from the City Council and other participating individuals. The Appraisal Summary will be distributed at the meeting and used as the basis for the discussion during Administrator's performance evaluation. Upon completion of the annual performance evaluation, an Evaluation Summary will then presented to the City Council for approval at the following meeting of the City Council.