

**CITY OF ELKO NEW MARKET  
CITY COUNCIL AGENDA  
ELKO NEW MARKET CITY HALL  
601 MAIN STREET  
ELKO NEW MARKET, MINNESOTA 55054  
THURSDAY, OCTOBER 11 2018**

**BUSINESS MEETING  
7:30 PM**

Invocation: Pastor Doyle Vangelder, Crossroads Church

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Adopt/Approve Agenda**

**4. Presentations, Proclamations and Acknowledgements (PP&A)**

- a. Presentation for former Planning Commissioner Steve Thompson

**5. 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.*

**6. 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 September 27, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Adopt Ordinance No. 177 Summary Ordinance of 176
- d. Approve Revised to Maintenance Worker I Job Description
- e. Adopt Resolution 18-66 Authorizing the Levy of Special Assessments for the Collection of Delinquent Utility Bills and Charges for Services

**7. Public Hearings**

**8. General Business**

- a. Detachment of Previously Annexed Property

**9. Reports**

- a. Administration
- b. Public Works
  - i. Superintendent Monthly Report
- c. Police Department
  - i. Police Chief Monthly Report

- d. Fire Department
- e. Engineering
  - i. Preserving Pond and Wetland Buffers
- f. Community Development
  - i. September 25, 2018 Planning Commission Minutes
- g. Parks Department
  - i. September 30, 2018 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

## **10. Discussion by Council**

## **11. Adjournment**

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**1. CALL TO ORDER**

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

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

Members Absent: None

Also Present: City Administrator Terry, City Engineer Revering, Community Development Specialist Christianson and City Clerk Green

**2. PRESENTATIONS**

Concept Plan for Adelman Properties

Community Development Specialist Christianson reviewed the Concept Plan for the Adelman Properties with the City Council.

**3. REPORTS**

2019 Pavement Rehabilitation Feasibility Report Preview

At the August 23, 2018 City Council Meeting, the Council directed Staff to prepare a feasibility report for the 2019 Pavement Rehabilitation Project and expressed support for a Streets Expo event for this project. City Engineer Revering informed the Council that the Streets Expo is tentatively scheduled for October 8, 2018. This event is intended to provide information to the public on the street rehabilitation project. Questions and feedback received during this event will be considered in the final draft of the 2019 Pavement Rehabilitation Feasibility Report.

**4. GENERAL DISCUSSION**

None

**5. REPORTS (Continued)**

No reports from the Business Agenda were presented.

**5. ADJOURNMENT**

The Work Session was adjourned at 7:30 p.m.

**1. CALL TO ORDER**

The meeting was called to order by Mayor Crawford at 7:37 p.m.

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

Members Absent None

Also Present: City Administrator Terry, City Attorney Poehler, City Engineer Revering,  
Community Development Specialist Christianson 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 Julius to approve the agenda as revised.

Moved Liquor License Renewal for Firehouse Grille from Consent to General Business

**APIF, MOTION CARRIED**

**4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS**

None

**5. PUBLIC COMMENT**

None

**6. CONSENT AGENDA**

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

- a. Approve September 18, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Approval of Liquor Licenses
  - i. Adopt Resolution 18-51 granting Off Sale Liquor License for TDF Liquors
  - ii. Adopt Resolution 18-52 granting On Sale, Sunday and Off Sale Liquor Licenses for The Doublewide
  - iii. Adopt Resolution 18-53 granting On Sale and Sunday Liquor License for Boulder Pointe Golf Club
  - iv. Adopt Resolution 18-54 granting On Sale Non-Intoxicating Beer License for Elko Baseball Club

- v. Adopt Resolution 18-55 granting On Sale, Sunday and Off Sale Liquor Licenses for Leo's Bar
- vi. Adopt Resolution 18-56 granting On Sale, Sunday and Off Sale Liquor Licenses for The End Zone
- vii. Adopt Resolution 18-57 granting On Sale Non Intoxicating Beer License for New Market Baseball Association
- viii. Adopt Resolution 18-58 granting On Sale, Sunday and Off Sale Liquor Licenses for Bullseye Saloon
- ix. Adopt Resolution 18-59 granting On Sale, Sunday and Off Sale Liquor Licenses for Captain Black's Bar and Grill.
- x. Adopt Resolution 18-60 granting On Sale and Sunday Liquor License for Elko Holding Company
- d. Adopt Resolution 18-62 Approving a One Day Gambling Permit for N.E.W. Ducks Unlimited
- e. Alternate Water Rate Structure for Irrigation of Newly Installed Sod
  - i. Adopt Ordinance No. 174 Amending Title 9, Chapter 1 of the Elko New Market City Code Concerning Water Rates for Irrigation of New Sod
  - ii. Adopt Ordinance No. 175 Amending City of Elko New Market Ordinance No. 165 Concerning the Schedule of Fees
- f. Dakota Acres 1st Addition, Syndicated Properties
  - i. Adopt Ordinance No. 176 Rezoning Property to Planned Unit Development District Zoning
  - ii. Adopt Resolution 18-50 Approving the Preliminary and Final Plat and Development Contract
- g. Accept Concept Development Plan for Adelman Properties
- h. Adopt Resolution 18-63 Vacating for Public Roadway, Drainage and Utility Easement
- i. 2019 Preliminary Budget
  - i. Adopt Resolution 18-64 Approving 2019 Preliminary Budget
  - ii. Adopt Resolution 18-65 Approving 2018 Tax Levy Collectible in 2019
- j. Authorize Hire of Part-time Finance Director

**APIF, MOTION CARRIED**

**7. PUBLIC HEARINGS**

None

**8. GENERAL BUSINESS**

Liquor License Renewal for Firehouse Grille

**MOTION** by Councilmember Berg, second by Councilmember Julius to adopt Resolution 18-61 granting On Sale and Sunday Liquor Licenses for Firehouse Grille. Ayes: Mayor Crawford, Councilmembers Berg and Julius, Abstain: Councilmember Timmerman. **MOTION CARRIED**

### Planning Commissioner Thompson Resignation

The City Council discussed the resignation of Planning Commissioner Steve Thompson, effective September 26, 2018. With the resignation of Commissioner Thompson, there will be a vacancy has been created on the Planning Commission. The selection committee has recommended that the current vacancy be filled from the most recent candidate pool, should the preferred candidates still be interested in the position. Per Council direction, staff will contact the top two candidates from the recent candidate pool and schedule interviews if candidates are still interested in serving on the Planning Commission.

The Council directed staff to contact Planning Commission Vice Chair Brad Smith to participate in the selection committee; however, if Brad Smith is unable to serve on the selection committee, Smith should appoint a Planning Commissioner to serve on committee. If there are no Planning Commissioners available to serve on the selection committee, staff will bring this item back to Council for the appointment of a councilmember to serve on the selection committee.

## 9. REPORTS

### a) ADMINISTRATION

None

### b) PUBLIC WORKS

None

### c) POLICE DEPARTMENT

None

### d) FIRE DEPARTMENT

None

### e) ENGINEERING

Presented at Work Session.

### f) COMMUNITY DEVELOPMENT

None

### g) PARKS DEPARTMENT

Draft September 11, 2018 Parks Commission Minutes included in Council Packet.

### h) OTHER COMMITTEE AND BOARD REPORTS

#### i. SCALE

None

ii. MVTA

Mayor Crawford updated the Council on the last MVTA Meeting which included a discussion on new computer system.

iii. I35 SOLUTIONS ALLIANCE

None

iv. CHAMBER OF COMMERCE

None

v. REGIONAL COUNCIL OF MAYORS

None

vi. COMMUNITY AND CIVIC EVENTS COMMITTEE

None

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

Councilmember Timmerman inquired as to the possibility of removing the Chamber of Commerce on the agenda. Administrator Terry informed the Council that this is only a place holder on the agenda for when there are any updates either from the Chamber, Council or Staff. Council decided to leave Chamber of Commerce on the agenda.

11. ADJOURNMENT

**MOTION** by Councilmember Julius, second by Councilmember Timmerman to adjourn the meeting at 7:56 p.m. **APIF, MOTION CARRIED**

Respectfully submitted by:

\_\_\_\_\_

Sandra Green, City Clerk



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Presentation of Elko New Market Claims and Electronic Transfer of Funds
<b>MEETING DATE:</b>	October 11, 2018
<b>PREPARED BY:</b>	Sandra Green, City Clerk
<b>REQUESTED ACTION:</b>	Approve Payment of Current Claims

## 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**

Each month the City Clerk presents for approval the Elko New Market Claims and Electronic Transfer of Funds.

**BUDGET IMPACT:**

Budgeted

Attachments:

- Check Summary Register

CITY OF ELKO/NEW MARKET

10/04/18 5:10 PM

Page 1

\*Check Summary Register©

October 11, 2018

Name	Check Date	Check Amt	
<b>AUTO PAYS</b>			
Paid Chk# 005728EHEALTH EQUITY, INC.	9/25/2018	\$416.53	H.S.A. Employee Contribution
Paid Chk# 005729EHEALTH PARTNERS	9/26/2018	\$11,584.00	MEDICAL INS - SEPTEMBER
Paid Chk# 005730ESUN LIFE FINANCIAL	9/26/2018	\$1,977.34	Life Insurance Sept/Oct 18
Paid Chk# 005731EPERA	10/3/2018	\$7,193.81	Vendor Liability
Paid Chk# 005732EMN DEPT OF REVENUE	10/3/2018	\$1,916.31	Vendor Liability
Paid Chk# 005733EINTERNAL REVENUE SERVICE	10/3/2018	\$8,267.61	Vendor Liability
Paid Chk# 005734EMINNESOTA ENERGY	10/16/2018	\$52.28	26518 France Avenue
Paid Chk# 005735EMINNESOTA ENERGY	10/16/2018	\$20.62	26518 France Avenue
Paid Chk# 005736EXCEL ENERGY	10/19/2018	\$225.33	Storage
Paid Chk# 005737EXCEL ENERGY	10/22/2018	\$177.28	Lift Station / 10010 Ptarmigan
Paid Chk# 005738EXCEL ENERGY	10/23/2018	\$3,438.52	25499 Natchez Ave - Water Trea
Paid Chk# 005739EXCEL ENERGY	10/22/2018	\$1,136.52	Wellhouse - 26460 France Ave
Paid Chk# 005740EXCEL ENERGY	10/19/2018	\$1,338.63	26536 France Ave
Paid Chk# 005741EXCEL ENERGY	10/19/2018	\$870.81	Library - 100 J Roberts Way
Paid Chk# 005742EMN VALLEY ELECTRIC COM	10/22/2018	\$1,434.74	Streetlights, Elko
Paid Chk# 005743EMN VALLEY ELECTRIC COM	10/9/2018	\$75.12	Glenborough Dr & Chowen
Paid Chk# 005744EMN VALLEY ELECTRIC COM	10/22/2018	\$48.05	27059 Beard Ave Lift Pump
Paid Chk# 005745EMINNESOTA ENERGY	10/18/2018	\$21.43	408 Carter Street
Paid Chk# 005746EMINNESOTA ENERGY	10/18/2018	\$23.89	359 James Parkway
Paid Chk# 005747EMINNESOTA ENERGY	10/18/2018	\$51.55	110 J Roberts Way - Library
Paid Chk# 005748EMINNESOTA ENERGY	10/16/2018	\$20.62	26518 France Avenue
Paid Chk# 005749EMINNESOTA ENERGY	10/16/2018	\$58.85	PW Facility - Gas Utilities
Paid Chk# 005750EMINNESOTA ENERGY	10/15/2018	\$102.48	25499 Natchez Ave - WTP
	<b>Total Checks</b>	<b>\$40,452.32</b>	
<b>PREPAID</b>			
Paid Chk# 038948 IUOE LOCAL #49	9/25/2018	\$140.00	
Paid Chk# 038949 DELTA DENTAL OF MINNESOTA	9/25/2018	\$824.15	Dental
Paid Chk# 038950 BENEFIT EXTRAS, INC	9/26/2018	\$33.00	
	<b>Total Checks</b>	<b>\$997.15</b>	
<b>CHECK REGISTER</b>			
Paid Chk# 038951 AEM FINANCIAL SOLUTIONS, LLC	10/11/2018	\$6,250.00	Financial Services
Paid Chk# 038952 ALLENS SERVICE, INC.	10/11/2018	\$450.00	Towing Tender #2
Paid Chk# 038953 APPLE FORD LINCOLN	10/11/2018	\$130.98	Police Fleet
Paid Chk# 038954 BOLTON & MENK	10/11/2018	\$16,454.50	T43.115114 - CSAH 2 & 91 Round
Paid Chk# 038955 CAMPBELL KNUTSON	10/11/2018	\$3,427.50	330 Webster/K Michael B78-18 P
Paid Chk# 038956 CINTAS CORPORATION NO. 2	10/11/2018	\$125.94	PW UNIFORMS
Paid Chk# 038957 CITY OF SAVAGE	10/11/2018	\$14,405.30	Software Subscriptions
Paid Chk# 038958 COMMERCIAL ASPHALT	10/11/2018	\$97.70	Streets - Shortpaid prev Inv 1
Paid Chk# 038959 CORE & MAIN LP	10/11/2018	\$130.94	PW - Water Repairs
Paid Chk# 038960 EARL F. ANDERSON, INC.	10/11/2018	\$161.45	Skatepark Signs
Paid Chk# 038961 FARMERS MILL & ELEVATOR,	10/11/2018	\$187.24	PW - Parks Chemicals
Paid Chk# 038962 FASTENAL COMPANY	10/11/2018	\$173.44	PW - Building Maint
Paid Chk# 038963 GOVERNMENT FORMS AND	10/11/2018	\$510.98	PD Logo Envelopes
Paid Chk# 038964 GREAT LAKES MANAGEMENT	10/11/2018	\$225.00	Library - Quarterly Mgmt Fee
Paid Chk# 038965 INNOVATIVE OFFICE SOLUTION	10/11/2018	\$134.71	Office Supplies
Paid Chk# 038966 INTERSTATE ALL BATTERY	10/11/2018	\$681.90	Battery Backups/Installation C
Paid Chk# 038967 K MICHAEL HOMES	10/11/2018	\$9,863.86	Storm Water Hookup Refund
Paid Chk# 038968 KELLEY FUELS, INC.	10/11/2018	\$1,260.13	PW - Fuel
Paid Chk# 038969 KREMER SERVICES, LLC	10/11/2018	\$901.68	PW - Fleet Maint & Equip
Paid Chk# 038970 LAKEVILLE TROPHY CO.	10/11/2018	\$135.10	Plaque for Steve Thompson
Paid Chk# 038971 LANO EQUIPMENT, INC.	10/11/2018	\$59.87	PW - Fleet Maint & Equip
Paid Chk# 038972 LARKSTUR ENGINEERING	10/11/2018	\$715.11	PW - Fleet Maint & Equip
Paid Chk# 038973 MARKET VILLAGE SR RESID	10/11/2018	\$954.37	Water/Sewer 5% & A1 Landscapin
Paid Chk# 038974 METROPOLITAN COUNCIL	10/11/2018	\$10,712.64	Reserve Capacity Loan 2017 - P
Paid Chk# 038975 METROPOLITAN COUNCIL	10/11/2018	\$22,568.75	Reserve Capacity Loan 2018 Pmt

Paid Chk#	038976	METROPOLITAN COUNCIL	10/11/2018	\$8,987.10	Reserve Capacity Loan 2016 Pmt
Paid Chk#	038977	METROPOLITAN COUNCIL	10/11/2018	\$17,695.00	Met Council Interest 2018
Paid Chk#	038978	METROPOLITAN COUNCIL	10/11/2018	\$18,807.29	MCES Charges - Nov 2018
Paid Chk#	038979	MFSCB	10/11/2018	\$50.00	FD Recertification - Josh Wich
Paid Chk#	038980	MN CRITTER GETTERS, INC.	10/11/2018	\$1,174.00	Monthly Animal Control
Paid Chk#	038981	MUNICIPAL INSPECTIONS, INC.	10/11/2018	\$6,012.61	Erosion Control Inspections
Paid Chk#	038982	MVTL LABORATORIES	10/11/2018	\$95.00	PW - Water Testing
Paid Chk#	038983	POMPS TIRE SERVICE, INC.	10/11/2018	\$584.28	PD Fleet
Paid Chk#	038984	QUILL CORPORATION	10/11/2018	\$441.86	Operating Supplies
Paid Chk#	038985	RIGID HITCH INCORPORATED	10/11/2018	\$202.35	PW - Fleet Maint & Equip
Paid Chk#	038986	SCHLOMKAS PORTABLE	10/11/2018	\$710.00	Portable Restrooms
Paid Chk#	038987	SOUTH METRO RENTAL	10/11/2018	\$175.00	PW - Storm Water Repairs
Paid Chk#	038988	TOWMASTER	10/11/2018	\$1,312.69	PW - Fleet Maint & Equip
Paid Chk#	038989	SPLIT ROCK MANAGEMENT INC	10/11/2018	\$845.00	LIBRARY CLEANING
Paid Chk#	038990	WATER CONSERVATION SVC,	10/11/2018	\$1,700.00	PW - Water Repairs/Leak Survey
Paid Chk#	038991	XEROX CORPORATION	10/11/2018	\$577.90	Copier
Paid Chk#	038992	ZIEGLER INC.	10/11/2018	\$582.15	FD Fleet
			<b>Total Checks</b>	<b>\$150,671.32</b>	

**DIRECT DEPOSIT**

Paid EBi-Weekly ACH 10/4/18

**Total Check      \$27,810.64**



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Dakota Acres 1 <sup>st</sup> Addition PUD, Preliminary & Final Plat
<b>MEETING DATE:</b>	October 11, 2018
<b>PREPARED BY:</b>	Sandra Green, City Clerk
<b>REQUESTED ACTION:</b>	Adopt Ordinance No. 177 Summary Ordinance of Ordinance No. 176.

## 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
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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**

At the September 27, 2018 Council Meeting, the City Council adopted Resolution No. 176 Rezoning Property to Planned Unit Development District Zoning for Dakota Acres 1<sup>st</sup> Addition.

**DISCUSSION**

Due to the length of Ordinance No. 176, Summary Ordinance No. 177 has been prepared for publication.

Council is being asked to adopt Ordinance No. 177 Summary Ordinance of Ordinance No. 176 amending and restating the Planned Unit Development District Zoning of Certain Property within Dakota Acres 1<sup>st</sup> Addition.

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

**SUMMARY ORDINANCE NO. 177**

**AN ORDINANCE AMENDING AND RESTATING THE PLANNED UNIT  
DEVELOPMENT DISTRICT ZONING OF CERTAIN PROPERTY WITHIN DAKOTA  
ACRES 1<sup>ST</sup> ADDITION**

**NOTICE IS HEREBY GIVEN** that, on September 27, 2018, Ordinance No. 176 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. \_176, the following summary of the ordinance has been prepared for publication.

**NOTICE IS FURTHER GIVEN** that the ordinance adopted by the Council amends and restates the Planned Unit Development zoning for portions of Outlots C and B, Dakota Acres and a portion of Lot 1, Block 2, Dakota Acres, to be platted as Dakota Acres 1<sup>st</sup> Addition. 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 11<sup>th</sup> day of October, 2018.

**CITY OF ELKO NEW MARKET**

By: \_\_\_\_\_  
Bob Crawford, Mayor

By: \_\_\_\_\_  
Sandra Green, City Clerk



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Maintenance Worker I Job Description Revision
<b>MEETING DATE:</b>	October 11, 2018
<b>PREPARED BY:</b>	Mark Nagel, Assistant City Administrator
<b>REQUESTED ACTION:</b>	Approve Revision to Maintenance Worker I Job Description

## COMMUNITY VISION:

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## COMMUNITY ORIENTED LOCAL GOVERNMENT:

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

**DISCUSSION:**

In light of the recent applicant pool for the Maintenance Worker I position, Staff has reviewed the impact of moving the requirement of "moderate experience working with utilities" from being a Minimum Requirement to a Special Requirement on the job description for the position. Staff believes that this change would be more in line with appropriate minimums for the position and remove a potential barrier to broader applicant pools in the future. While a minor revision, it would still need to be approved by the City Council. See the attached Job Description outlining the proposed revisions.

As Councilmembers may recall, the City uses a Class Evaluation System Model as the objective for assigning the range in points for each of the positions listed in the Compensation Plan. There are nine (9) Job Factors used to determine the total point value of each position, which forms the basis of the points range and the Grade for each position. In this case, the only Job Factor affected is Experience, since all other parts of the Job Description remain the same. With the recommended change, the points for the position would now be lowered from its current range of 205 - 237 to a new range of 200 - 232, which is still within Grade 8 in the City's current Compensation Plan.

**BUDGET IMPACT:**

None

**ATTACHMENT:**

Maintenance Worker I Job Description

# MAINTENANCE WORKER I

**Department:** Public Works

**FLSA Status:** Non-exempt

**Work Status:** Full-time

## **Purpose**

Performs intermediate skilled trades and technical work maintaining the City's streets and storm sewers, water and sanitary sewer systems, parks, buildings and other city rights of way and city property, operating and maintaining a variety of heavy, medium, and light equipment, participating in snow plowing/sanding, and performing grounds keeping tasks, responding to urgent and emergency situations and other call-outs, and related work as apparent or assigned. Work is performed under the limited supervision of the Public Works Coordinator and general direction of the Public Works Superintendent.

## **Communicates with:**

- *Internally* - Other public works employees and city staff;
- *Externally* – Service contractors, engineering staff, 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.*

Assists in the maintenance of public rights-of-way, parks, facilities and grounds

Operates a variety of heavy, medium, and light equipment: loader, skid-steer, tractor, grader, roller, backhoe, plow truck, dump truck, pick-up, and riding mower.

Inspects equipment and performs some basic preventive maintenance and repairs as needed.

Performs summer maintenance on streets such as patching and crack filling, cleaning and repairing storm sewers, and curb and gutter maintenance.

Maintains street signs and signal lights.

Installs holiday lights and banners.

Performs winter maintenance on streets such as grading, plowing, loading, and removing snow and applying sand and other ice control on roads.

Maintains city parks including all tasks associated with lawn maintenance, turf management, park shelters and other facilities maintenance.

Maintains ditches, boulevards and other green areas by mowing, trimming/spraying weeds, and caring for trees and plantings.

Empties city garbage cans and picks-up/hauls recyclables to recycling center.

Cleans up after storm damage, picking up downed trees, branches, and other debris.

Assists in building maintenance tasks, performing a variety of carpentry work and some basic plumbing and electrical work.

Assists with maintaining the wastewater collection system

Inspects, repairs and maintains sanitary and storm sewer lines by jetting, rodding, and vacuuming.

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

# MAINTENANCE WORKER I

Cleans and repairs manholes.

Maintains lift stations by inspecting, cleaning and repairing/replacing parts such as pumps and valves.

Performs flushing of sanitary sewer system.

Assists with maintaining the municipal water system

Conducts operational tests on a daily basis and maintains all records as required by MDH and departmental policies.

Adjusts chemical levels and doses on a daily basis.

Performs various maintenance and repair tasks on a variety of equipment such as pumps, motors, electrical equipment, piping, as well as general building maintenance.

Assists with contractors on utility related projects.

Inspects hydrants and maintains/repairs/replaces as needed, keeping relevant maintenance records.

Inspects and maintains water towers.

Assists with repairing curb boxes, service lines, and main line valves.

Responds to emergencies and repairs water main breaks.

Maintains a variety of equipment and tools.

Performs tests on water and wastewater samples.

Assists supervisor in record keeping and the preparation of reports.

Assists with meter reading and repairs.

Provides assistance to public utilities department during emergencies and when directed.

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

## REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

Thorough knowledge of local geography, city streets and addresses, business and residential areas; thorough knowledge of, and ability to understand/apply, state and federal laws, City ordinances and policies, departmental policies, procedures and directives; thorough knowledge of principles, practices, and procedures used in maintenance and repair of streets, parks, and other public works equipment, facilities and devices; thorough knowledge of hazardous chemicals and ability to implement procedures for safe handling/disposal; thorough knowledge of traffic laws; thorough knowledge of OSHA and other safety-related laws; thorough knowledge of hazardous waste regulations; thorough skill reading utility meters; thorough skill operating standard office equipment, hardware and software; thorough skill operating standard public works and maintenance equipment, tools and hardware; ability to make arithmetic computations using whole numbers, fractions and decimals; ability to compute rates, ratios and percentages; ability to read, interpret and analyze computer reports; ability to conduct tests accurately; ability to inspect, repair and maintain sanitary sewer system equipment and supplies; ability to present a positive, professional image to the public; ability to communicate effectively, both orally and in writing; ability to solve problems and make decisions using appropriate processes and tools; ability to make records regarding inspections and materials/time usage; ability to analyze situations and determine appropriate action and to respond quickly and appropriately to crisis and emergency situations; ability to work as part of a team and without direct supervision; ability to exert moderate to considerable physical effort when performing a variety of tasks; ability to lift objects weighing up to 100 pounds; ability to stand, walk, sit for extended periods; ability to perform a variety of physical movements such as bend,

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

# MAINTENANCE WORKER I

stoop, crouch, kneel, push and pull, touch, and use both fine and large motor skills; ability to attend training to update knowledge and skills and maintain licenses.; ability to establish effective work relationships with staff and the general public.

## MINIMUM REQUIREMENTS

High school diploma or GED and moderate experience working with utilities, operating heavy equipment, or equivalent combination of education and experience and Class B driver's license in the State of Minnesota.

## WORKING CONDITIONS

This work requires the regular exertion of up to 50 pounds of force and frequent exertion of over 100 pounds of force; work regularly requires using hands to finger, handle or feel, frequently requires standing, walking, sitting, speaking or hearing, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling, lifting and repetitive motions and occasionally requires tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and peripheral vision; 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, visual inspection involving small defects and/or small parts, using of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and exposure to vibration, frequently requires working near moving mechanical parts and occasionally requires working in high, precarious places, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

## SPECIAL REQUIREMENTS

Experience working with water utility

Experience working with sewer utility

Class D Water License must be obtained within one (1) year of hire.

Class D or SD Wastewater License must be obtained within one (1) year of hire.

Valid Class D Water License preferred.

Valid Class D or SD Wastewater License preferred.

Valid Class A driver's license in the State of Minnesota must be obtained within six (6) months of hire.

Tanker Endorsement must be obtained within six (6) months of hire.



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Certification of Elko New Market Delinquent Sewer, Water and Storm Water Bills and Charges for Service
<b>MEETING DATE:</b>	October 11, 2018
<b>PREPARED BY:</b>	Stephanie Schultz, Administrative Assistant
<b>REQUESTED ACTION:</b>	Adopt Resolution 18-66 Authorizing the Levy of Special Assessments

## 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

**DISCUSSION:**

Delinquent Sewer, Water and Storm Water Bills and Charges for Service must be certified to the County in November. The Assessment Roll with the total amounts to be certified in 2018 is attached along with Resolution 18-66 Authorizing the Levy of Special Assessments. Any parcel to be certified to the County must be approved by the City Council. However, a large number of payments that have been made still need to clear the banking system. Therefore, staff is recommending the full list be approved for certification. The final list that will be presented to the County at the end of November will only include the remaining unpaid delinquencies. The amount requested for certification is \$208,229.93 as of September 12, 2018. The current outstanding amount for final certification based on payments received by the time of the preparation of this memorandum is \$163,699.60. Staff has collected \$44,530.33 that has been applied to the balances pending certification during the last month.

Attachments:

Resolution 18-66 Authorizing the Levy of Special Assessments  
Original Certification List

List of Property Identification Numbers and Past Due Balances Pending Certification to 2019 Property Taxes

PIN	Certify
230370210	\$4,112.89
230120050	\$3,846.29
230130200	\$3,696.24
230200090	\$2,977.61
230190280	\$2,974.60
230090050	\$2,910.04
230230400	\$2,839.32
230410180	\$2,838.58
230080220	\$2,794.24
230330030	\$2,754.43
230330170	\$2,707.16
230230330	\$2,598.64
230210280	\$2,573.16
230360050	\$2,520.01
230340090	\$2,512.97
230380100	\$2,489.06
230100400	\$2,462.13
230480170	\$2,444.40
230210600	\$2,386.58
230380300	\$2,349.35
230380160	\$2,339.02
230230020	\$2,287.49
230160180	\$2,284.01
230330320	\$2,237.09
230440490	\$2,177.48
230350100	\$2,154.95
230340260	\$2,150.17
230240440	\$2,137.92
230160410	\$2,134.67
230070090	\$2,107.77
230440700	\$2,072.04
230440470	\$1,978.67
230060150	\$1,971.15
230290480	\$1,969.70
230080450	\$1,956.05
230500470	\$1,924.10
239270090	\$1,888.43
230440020	\$1,860.85
230500160	\$1,838.47
230210330	\$1,828.15
230390230	\$1,805.63

230330290	\$1,775.47
230010080	\$1,773.96
230150010	\$1,716.13
230080370	\$1,711.08
230380410	\$1,708.68
230110160	\$1,694.93
230290440	\$1,681.36
230070240	\$1,667.13
230090300	\$1,658.08
230380260	\$1,611.32
230430030	\$1,572.45
230210510	\$1,521.93
239210043	\$1,379.87
230410390	\$1,369.27
230100300	\$1,360.74
230400010	\$1,358.47
230040030	\$1,317.43
230290090	\$1,308.06
230480400	\$1,294.19
230370280	\$1,284.23
230470520	\$1,271.37
230430050	\$1,248.36
230380370	\$1,229.92
230380450	\$1,227.66
230080320	\$1,224.70
230390160	\$1,223.73
230280140	\$1,210.72
230380220	\$1,190.50
230310350	\$1,173.96
230290380	\$1,151.45
230010040	\$1,133.83
230090180	\$1,061.75
230470280	\$1,031.59
230240320	\$1,008.72
230010121	\$994.31
230010050	\$937.72
230480140	\$917.58
230070050	\$874.59
230090060	\$869.34
230100380	\$856.73
230380110	\$847.85
230210550	\$845.93
230490010	\$831.68
230410230	\$826.94
230100250	\$803.27
230380640	\$756.40

230410400	\$731.44
230090070	\$729.21
230080110	\$727.21
230280050	\$723.67
230380510	\$693.72
230180290	\$690.47
230010150	\$660.76
230470270	\$643.79
230380020	\$623.49
230370040	\$610.52
230100110	\$589.96
230270120	\$582.20
230470320	\$542.85
230290600	\$525.41
230200380	\$520.19
230380620	\$517.24
230210240	\$500.95
230210120	\$497.85
230020080	\$488.31
230120160	\$474.13
230130260	\$469.94
230440960	\$461.53
230270090	\$459.85
230030110	\$449.39
230080060	\$442.30
230330140	\$440.64
230500270	\$413.92
230390170	\$412.51
230060080	\$402.80
230190490	\$397.02
230470020	\$395.63
230500330	\$389.90
230390120	\$384.10
230230440	\$378.36
230500400	\$365.57
230100050	\$361.66
230380280	\$352.33
230100170	\$349.22
230160190	\$345.87
230230060	\$337.13
230160230	\$330.42
230330370	\$313.71
230440520	\$304.92
230380680	\$304.32
230480180	\$301.78
230370200	\$299.28

230500070	\$294.48
230180460	\$280.17
230160050	\$274.97
230440790	\$274.87
230090430	\$271.68
230120220	\$271.54
230080340	\$261.44
230210320	\$259.24
230370220	\$254.61
230160150	\$252.77
230280170	\$249.56
230460270	\$246.89
230230540	\$246.15
230230410	\$239.99
230230430	\$239.38
230180310	\$237.31
239340070	\$233.81
230230080	\$231.90
230190440	\$230.50
230100040	\$221.23
230180240	\$218.21
230200040	\$217.67
230230470	\$212.32
230300010	\$211.25
230440980	\$209.22
230240080	\$201.71
230190440	\$201.58
230320010	\$200.07
230380390	\$198.89
230330220	\$197.74
230190430	\$197.66
230450020	\$192.92
230380550	\$189.10
230190170	\$188.48
230560030	\$188.16
230560040	\$188.16
230560130	\$188.16
230560140	\$188.16
239280060	\$188.03
230470510	\$186.08
230320030	\$185.60
230560050	\$185.35
230390200	\$184.39
230320110	\$183.01
230380750	\$180.78
239280140	\$178.56

230330330	\$178.35
230470260	\$178.04
230570020	\$174.48
239210020	\$174.48
239340090	\$174.48
230310310	\$174.48
230310220	\$174.48
230310410	\$174.48
230310520	\$174.48
230300020	\$174.48
230310320	\$174.48
230310030	\$174.48
230530010	\$174.48
239260021	\$174.36
239210044	\$174.04
230480050	\$171.75
230500440	\$168.64
230200210	\$164.92
230090370	\$164.46
230290040	\$163.70
230410470	\$159.88
230460310	\$159.62
230020130	\$157.64
230360010	\$156.06
230410450	\$155.75
230440010	\$153.93
230450060	\$153.92
230380610	\$153.54
230380350	\$151.14
230020110	\$150.13
230280030	\$148.36
230360070	\$147.02
230190370	\$145.70
230410220	\$145.68
239280370	\$145.31
230160310	\$145.11
230500060	\$144.95
230290600	\$143.88
230180180	\$143.68
230060060	\$142.72
230180500	\$141.61
230160400	\$141.03
230120110	\$139.48
230450050	\$138.20
230160010	\$136.43
230441000	\$134.14

230370150	\$134.01
230340270	\$133.03
230090130	\$131.41
230110140	\$131.26
230100230	\$129.50
230090230	\$128.19
230330380	\$128.04
230230210	\$126.66
230230180	\$124.04
230370190	\$123.42
230500030	\$123.30
230030070	\$122.40
230100440	\$122.40
230170010	\$122.40
239210040	\$122.40
239210042	\$122.40
239210060	\$122.40
239210062	\$122.40
239210130	\$122.40
230290010	\$122.40
230540020	\$122.40
239210120	\$122.40
230290030	\$122.40
230480390	\$121.45
230290590	\$120.76
230100220	\$120.71
230090360	\$117.85
230100360	\$117.80
230190310	\$115.03
230330090	\$114.24
230470080	\$113.45
230210340	\$112.93
230470590	\$112.75
230160340	\$112.52
230450220	\$111.74
230370230	\$111.73
230130410	\$111.65
230340180	\$111.26
230470410	\$111.16
230290610	\$110.80
230330420	\$110.20
230350130	\$109.11
230180070	\$108.65
239280100	\$108.52
230330190	\$107.93
230070180	\$107.77

230390150	\$106.95
230390310	\$106.15
230470100	\$105.56
230450070	\$105.45
230080210	\$104.97
230190500	\$104.58
230130130	\$104.28
230450080	\$103.56
230290530	\$103.18
230520120	\$102.93
230390320	\$102.82
230190150	\$102.70
230270020	\$102.10
230160080	\$101.88
230200070	\$101.44
230090350	\$100.69
230080280	\$100.68
230020140	\$100.65
230440630	\$100.23
230080010	\$99.83
230390330	\$99.33
230190130	\$98.99
230130070	\$98.75
239280200	\$98.07
230500310	\$97.89
230240090	\$97.37
230240280	\$97.16
230450200	\$96.65
230080090	\$95.94
230500150	\$94.61
230350200	\$93.69
230500480	\$93.01
230500290	\$92.56
230130250	\$90.78
230180170	\$90.51
230470090	\$90.14
230110370	\$89.35
230190210	\$88.86
230290380	\$88.48
230410030	\$83.10
230430040	\$82.16
230130400	\$81.97
230010060	\$81.93
230350190	\$80.67
230270050	\$79.17
230270060	\$79.17

230270070	\$79.17
230270080	\$79.17
230270130	\$79.17
230270140	\$79.17
230270150	\$79.17
230270160	\$79.17
230270170	\$79.17
230270180	\$79.17
230270190	\$79.17
230270200	\$79.17
230270210	\$79.17
230210260	\$75.88
230460280	\$71.78
230200230	\$71.43
230190530	\$68.63
230060040	\$65.68
230440980	\$60.37
230210500	\$46.78
230180440	\$44.05
230350220	\$43.85
230200280	\$38.19
230100430	\$31.12
230370180	\$30.02
230010040	\$20.47
230290600	\$9.42
230190530	\$8.22
<b>Total</b>	<b>\$208,229.93</b>

**CITY OF ELKO NEW MARKET  
SCOTT COUNTY, MINNESOTA  
RESOLUTION NO. 18-66**

**RESOLUTION TO AUTHORIZE THE LEVY OF SPECIAL ASSESSMENTS  
FOR THE COLLECTION OF DELINQUENT UTILITY BILLS AND CHARGES FOR  
SERVICES**

**WHEREAS**, the City of Elko New Market Code names the property owner as the party responsible for the payment of City utility bills and charges for services related to the mitigation of certain code violations, and further empowers the City to levy an assessment for the collection of unpaid amounts thereof; and

**WHEREAS**, a list of delinquent accounts has been compiled, and each property owner has been duly notified of the amount thereof; and

**WHEREAS**, each of the unpaid/delinquent balances have been carefully compiled and verified, and the City Clerk recommends therefore that all be included in an assessment roll, and that the roll be certified for collection (along with property tax) at the County.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Elko New Market, Scott County, Minnesota, hereby authorize and direct the Scott County Auditor to levy a special assessment for delinquent utility accounts and charges for services against each of the properties and in the amounts listed on the attached assessment roll. Such assessments shall be collected in one payment during calendar year 2019 with an interest rate of 5% percent.

**APPROVED AND ADOPTED** this 11th day of October, 2018.

CITY OF ELKO NEW MARKET

By: \_\_\_\_\_  
Robert Crawford, Mayor

ATTEST:

\_\_\_\_\_  
Sandra Green, City Clerk



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Detachment of Previously Annexed Property
<b>MEETING DATE:</b>	October 11, 2018
<b>PREPARED BY:</b>	Renee Christianson, Community Development Specialist
<b>REQUESTED ACTION:</b>	Consider Discussion Regarding Annexations

## 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**

City staff attended a New Market Township Board meeting on September 4, 2018 in regards to the proposed annexation petition from Kevin Komorouski. At that meeting the Township approved a joint resolution for orderly annexation of the ten acre property. As a follow-up to discussion, the Township Board inquired about previous annexations of other properties where the planned development did not occur. Some concern was expressed about these past annexations and the fact that these properties remain undeveloped and in the City limits. Staff committed to bringing this matter to the attention of the City Council. Staff also believes this is a good policy item for the Council to discuss and is worthy of further discussion by the Council.

The attached map shows the locations of various properties where annexations have occurred and the properties remain undeveloped (shown in red). The following is some background information on each of the annexation areas depicted on the map:

Annexation #1 - Property annexed into the City of New Market in 2005 by property owner petition. Approximately 53 acres annexed into the City; intended use was a 143 lot residential development. The development received preliminary plat approval in 2005 but never received final plat approval. The developer abandoned the project with the onset of the recession. The City has deferred assessments on this property for the construction of 255<sup>th</sup> Street and utilities adjacent to the property. The property owner has expressed interest in selling his property for development, and City staff continues to direct development inquiries to the property owner.

Annexation #2 – Property annexed into the City of New Market in 2002 and 2003 by property owner petition. Approximately 95 acres annexed into the City; the intended use was a 200 lot residential development. The development received preliminary plat approval in 2005 and an early grading permit was issued to the developer. The development never received final plat approval. The developer abandoned the project with the onset of the recession. Currently, the property is held by three property owners. The portion of the property that had received the preliminary grading permit is currently held by an individual pursuing development of the property. The balance of the property is held by the original property owner / family who has indicated that they are not interested in developing the balance of the property at this time.

Annexation #3 – Property annexed into the City of New Market in 2002 by property owner petition. Approximately 40 acres annexed into the City; the intended use was a residential development and a +/- 16 acre park. The property owner never pursued development of the property but has continued to make inquiries with staff about the possibility of development.

Annexation #4 – Property annexed into the City of Elko in 2002 and 2006 by property owner petition. Approximately 40 acres annexed into the City; the intended use was a 74 lot residential development. The development received preliminary plat approval, and final plat approval of the first phase containing 37 lots. The plat was never filed with the County and the developer abandoned project with the onset of the recession. One of the property owners continues to market the property for development. The intentions of the other property owner is unknown.

## **DISCUSSION:**

Staff believes the question to be considered is whether any of these undeveloped properties should be detached from the City of Elko New Market. By detaching property, it would revert back to the jurisdiction of New Market Township. Should the Council believe that this topic

merits further consideration, staff recommends the matter be referred to the Planning Commission for review and formal recommendation. Additionally, staff believes that consistent with the City's Community Oriented Government (COG) philosophy, stakeholders and property owners should be engaged in the discussion.

**REQUESTED ACTION:**

The City Council is being asked to receive the information and provide feedback regarding whether this matter should be referred to the Planning Commission.

**Attachments:**

Map showing annexed / undeveloped properties



City Limits

Parcels

Annexed / Undeveloped Properties

27  
COUNTY

91  
COUNTY

2  
COUNTY

2  
COUNTY

INTERSTATE  
35

91  
COUNTY

27  
COUNTY

#1  
Annexed by property owner petition  
in 2005 for proposed Eagleview Estates development

City Limit Boundary

#2  
Ordinance #155 & Ordinance #158  
& Resolution #05-43  
Annexed by property owner petition  
in 2002, 2003 & 2005 for proposed  
Pheasant Hills residential development

#3  
Ordinance #152  
Annexed by property owner petition  
in 2002 for proposed residential  
development and park.

#4  
Ordinance #105 & Ordinance #167  
Annexed by property owner petition  
in 2002 & 2006 for proposed Fairway Ridge development



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Monthly Public Works Report – September 2018
<b>MEETING DATE:</b>	October 11, 2018
<b>PREPARED BY:</b>	Corey Schweich, Public Works Superintendent
<b>REQUESTED ACTION:</b>	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 September.

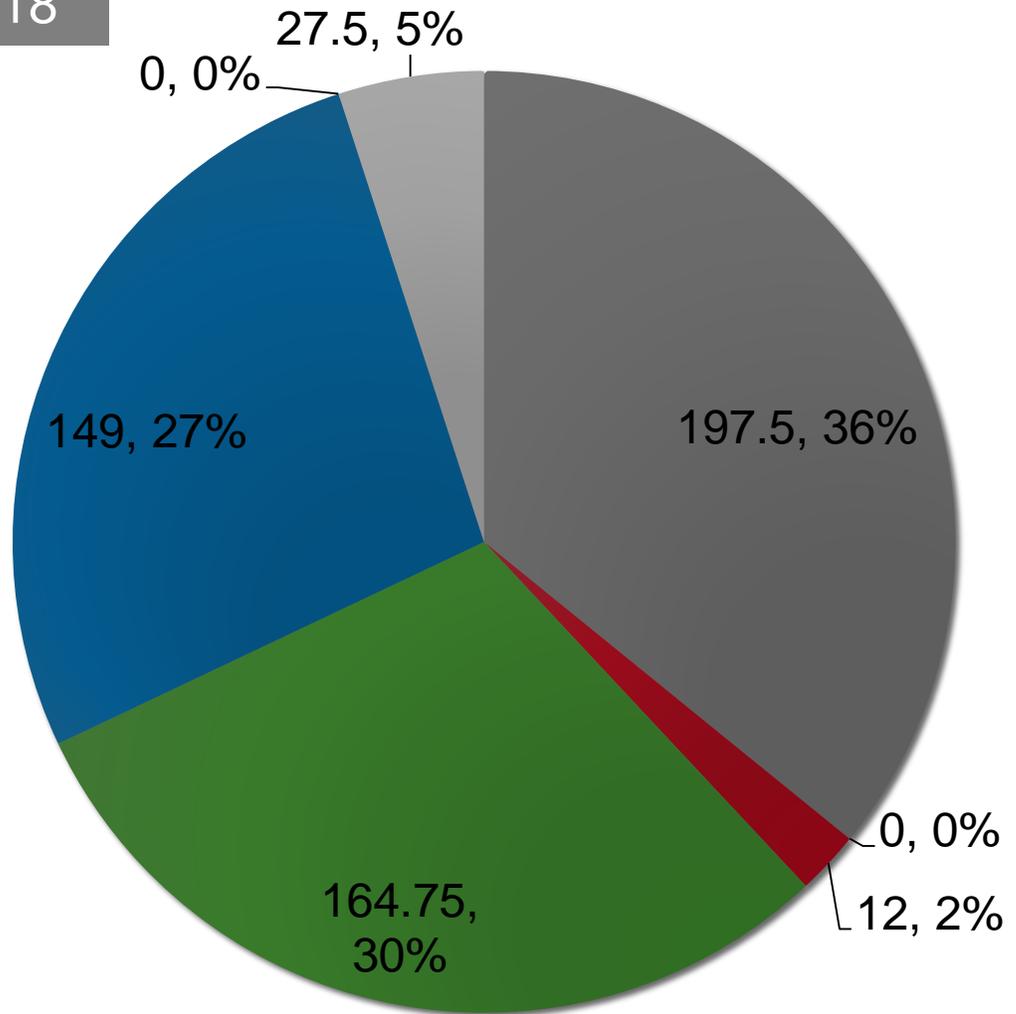
## **DISCUSSION:**

- Public Works Staff had to dig up and repair a broken storm sewer line on Carter St.
- Staff has been 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.
- Staff will continue main line sewer jetting as time permits throughout the season.
- As you all know Maintenance Worker Chad Shell has resigned and taken a position with another City. The Maintenance Worker I position has been posted. The City received only 7 applications by the original deadline of 9-28. The deadline has been extended for another week to possibly broaden the applicant pool.
- The Seasonal Maintenance Worker position has also been posted; Staff looks to have that position filled within the next month.
- Staff identified a leaky water main on Aaron Dr in the Farm development. Leak detection was hired to locate exactly where the leak was located. Sometimes leaks will show up in a different location, as water will take the path of least resistance. This leak was located between two different phases of the Farm development. Krueger Excavating and Staff spent a significant amount of time digging down to the water main trying to figure out what was actually leaking. A curb stop that was originally installed to bleed air for testing purposes was found to be leaking. This curb stop was not on any of the record plans from the previous City Engineer and should have been removed when the second phase of the project was constructed. This is an excellent example of why field inspection and record plans are so important as it turned a half a day project into a full day project.
- Staff has finished mounting the snow plow equipment from the old loader to the new loader. Staff will continue to inspect and make any repairs as need to snow and ice control equipment.
- Staff continued to spray weeds throughout the community.
- As part of the regional safety group made up of Elko New Market, Lakeville, and Farmington, Staff attended lock out tag out safety training. Staff will continue to attend monthly safety trainings through this group.
- Staff continues to perform all of the day to day activities associated with mowing and trimming.
- The contractor has started to do some of the prep work for the solar panels that will be placed on the Public Works Facility.
- Superintendent Schweich has been working on obtaining quotes to replace the front doors and openers at City Hall. Polzin Glass was hired to replace the front doors and openers at City Hall, some of the work has started and they are planning to have everything completed before the general elections.
- 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.

# PUBLIC WORKS Combined Time By Department

September 2018

Total Hours:  
550.75



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

# Photo Album

Corey Schweich  
Public Works Superintendent

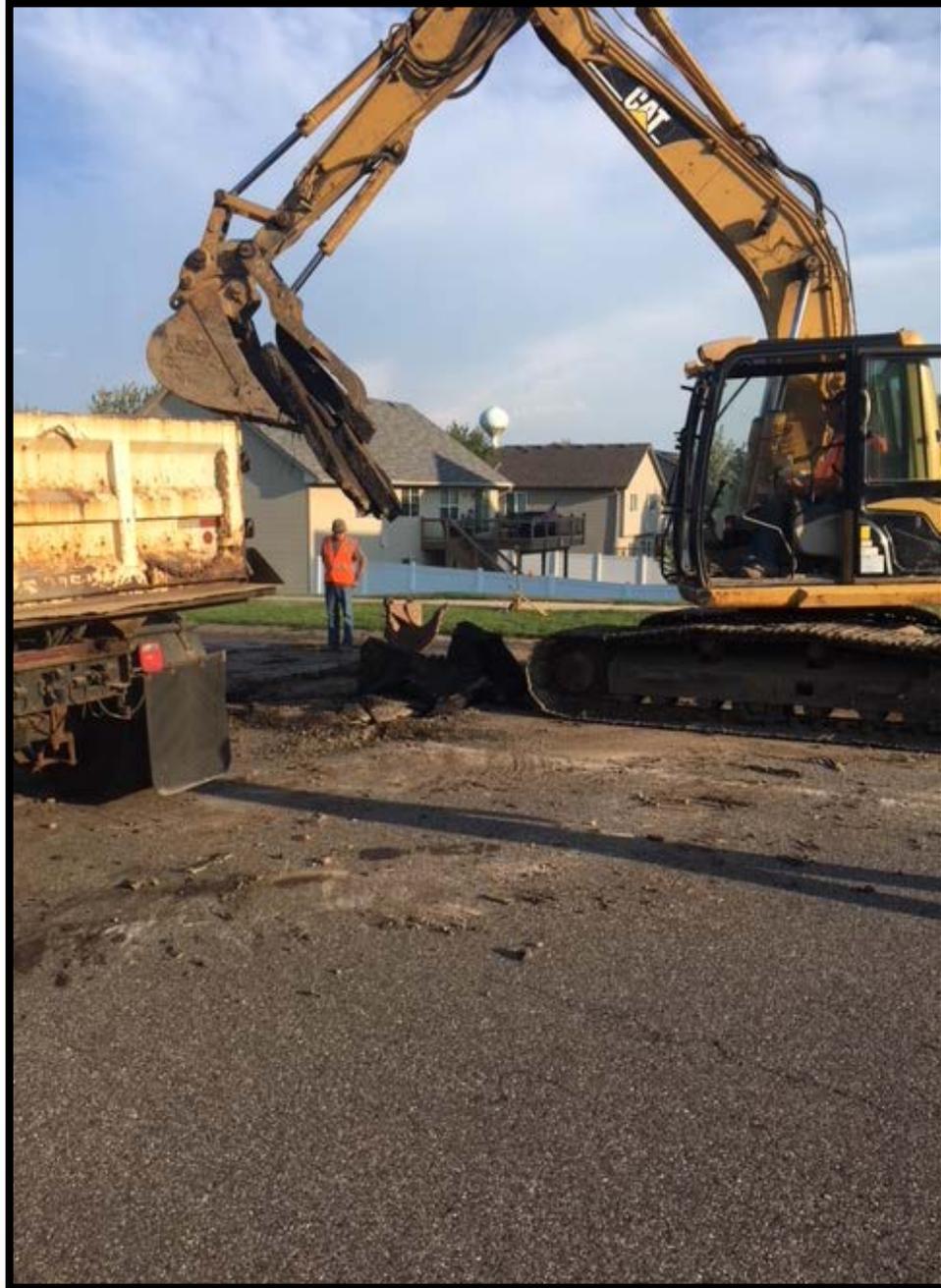














# STAFF MEMORANDUM

**SUBJECT:** Monthly Police Activity – September 2018  
**MEETING DATE:** October 11, 2018  
**PREPARED BY:** Steve Mortenson, Chief of Police  
**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 to the City Council reporting on Police Department activities for the past month.

## **DISCUSSION:**

September 6<sup>th</sup> – Officer Josh Gareis attended Glock Armorer training and is now certified as a Glock Handgun Armorer. He will be able to troubleshoot and repair any issues with the department handguns.

September 15<sup>th</sup> – Officer Craig Bell attended a birthday party for resident's child that was held at Fredrickson Field. Craig handed out police stickers and provided a tour of the squad car.

September 15<sup>th</sup> – Officers Craig Bell & Melissa Wirtz both attended the annual "Rib Cook Off" neighborhood event held on Theresa Marie Drive. Both Officers handed out police stickers, provided a tour of the squad car and judged the rib cook off.

September 27<sup>th</sup> – Staff trained in the annual firearms qualification with department issued hand guns and rifles.

September 29<sup>th</sup> – Staff participated in the first "Coffee with a Cop" that was held at Firefly Coffee Company. Staff waited on customers as well as visited with residents about the police department and police operations. This event was also sponsored by the Elko New Market Chamber of Commerce. We had a great turnout and staff had a great time at this event. Special thank you to Firefly Coffee for co-sponsoring and holding the event at their business. See attached photo album.

First and second round interviews for the 2018 full-time police officer position were held this month. As a result of the interviews, two candidates are currently moving forward to the background investigation phase. Staff anticipates that if a successful candidate is chosen, this officer could start at the end of October or beginning of November 2018. Staff will provide the council updates on the progress.

Attachments:

- Photo Album

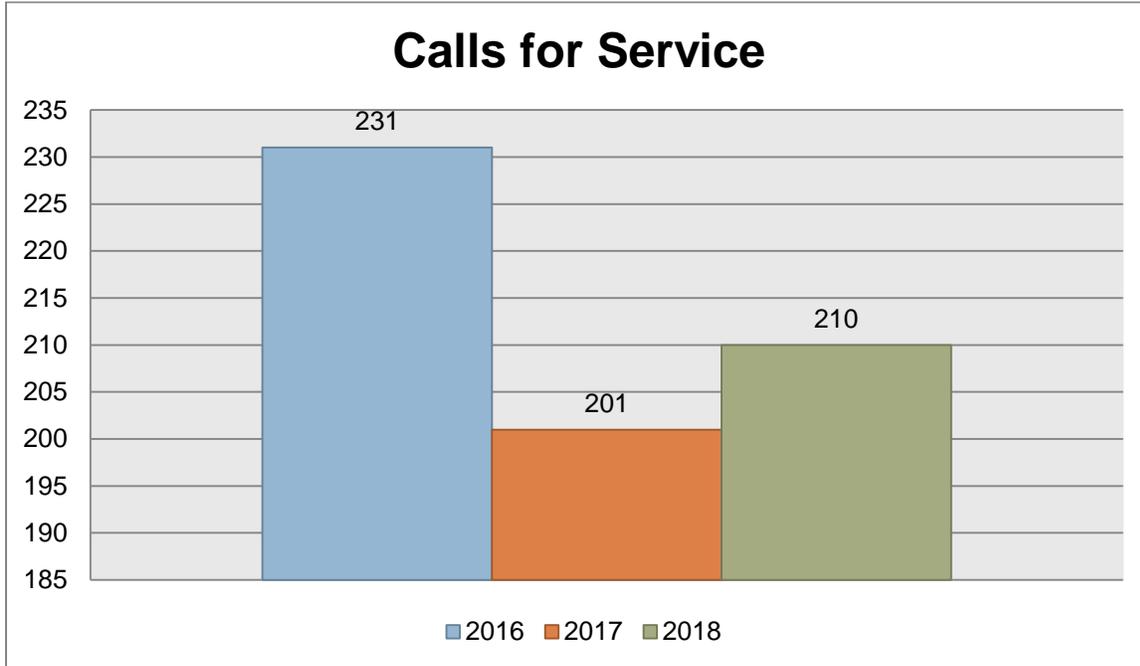
## STATISTICAL INFORMATION – SEPTEMBER 2018

### Types of calls officers responded to:

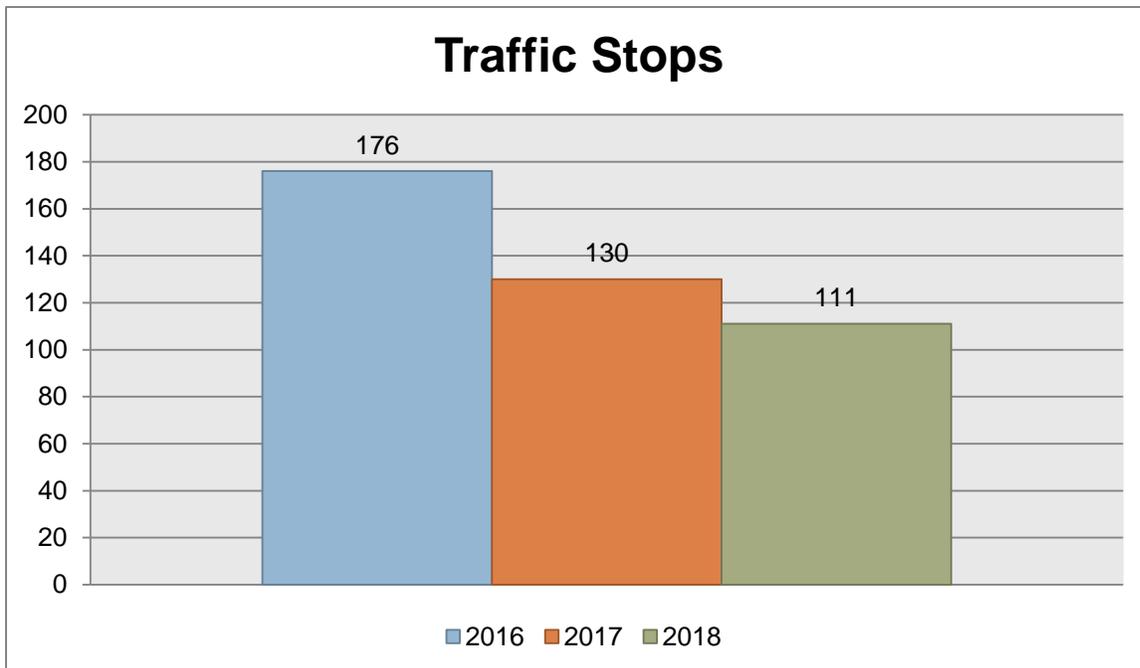
- 2 DWI Arrests – (one arrest was for 2<sup>nd</sup> Degree DWI. Driver tested .21. Vehicle he was driving is currently in the forfeiture process. The other incident officer was dispatched to a crash. Officer located the driver and vehicle. Driver tested .13. This was a 4<sup>th</sup> degree DWI.)
- 1 Warrant Arrest – (an adult male was arrested for a Hennepin County misdemeanor warrant as a result of a traffic stop. He was also cited for an invalid driver's license – Driving after Cancellation-Inimical to Public Safety.)
- 1 Missing Person/Runaway – (two juvenile runaways. One was located in New Prague and returned home; the other located in Savage and was also returned home.)
- 1 Mental Health (Officers responded to a mental health call and upon arrival of the officer, found a 24 year old male who had died from a single inflicted gunshot wound. Case remains under investigation by ENMPD and Hennepin County Medical Examiner's Office.)
- 1 Domestic (verbal only, no assault.)
- 8 Traffic Complaints (Reports of motorists driving poorly.)
- 9 Medicals
- 2 Fraud
- 1 Theft
- 1 Warrant Service Assist (Officer assisted the US Marshall's Office with a pickup/warrant arrest of an adult male resident.)
- 3 Vandalism
- 7 Nuisance complaints (Including noise complaints.)
- 2 Motor vehicle crash
- 1 Hit & Run motor vehicle crash
- 21 Suspicion (Includes: Suspicious activity, vehicles and people.)

A total of 4 people, all adult males were arrested and transported to the Scott County Jail in September.

Calls for Service:

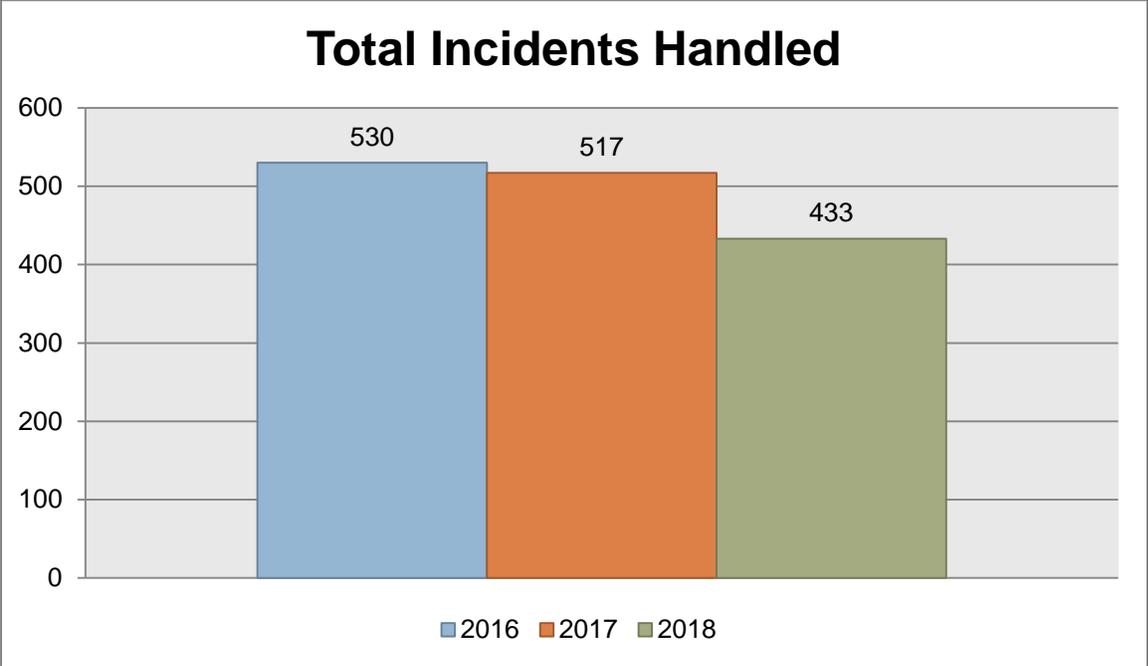


Total Traffic Stops:



**111** traffic stops were conducted in September 2018. **87** warnings issued and **24** citations issued for speed, stop sign violation, no proof of insurance/no insurance, no seat belt use, and driving after revocation, suspension, and cancellation.

Total Incidents Handled:



# Photo Album

Steve Mortenson

Chief of police

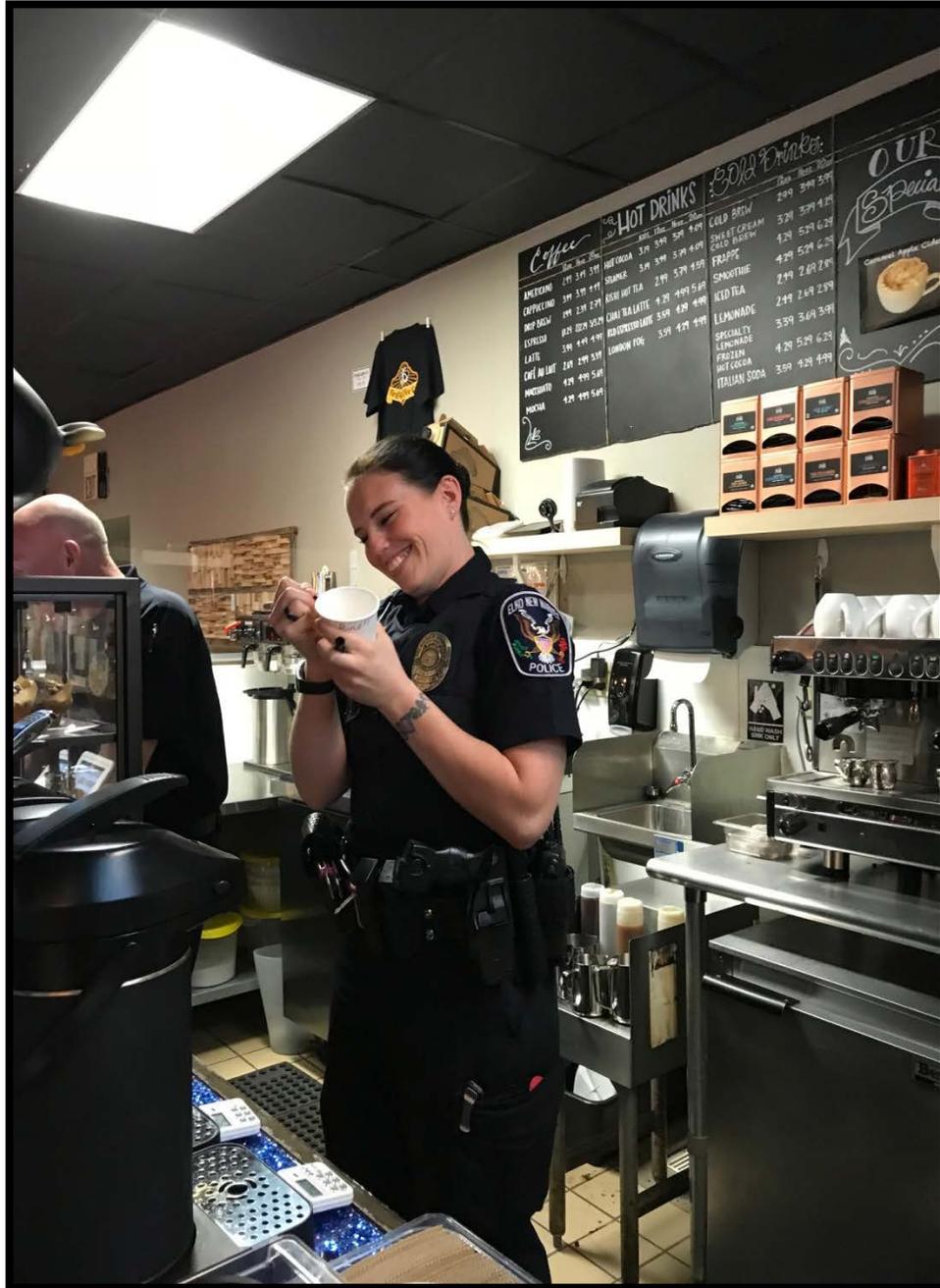






Coffee

	Hot	Hot
AMERICANO	2.99	3.59
CAPPUCCINO	3.99	5.99
MILK SHAKA	2.99	3.79
ESPRESSO	1.99	2.29
LATTE	3.99	4.99
CAFÉ AU LAIT	2.99	3.99
MOCCHA	4.99	5.99
MOCCHA	4.99	5.99



















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## MEMORANDUM

**Date:** October 25th, 2018  
**To:** Mayor Crawford and the Elko New Market City Council  
Tom Terry, City Administrator  
**From:** Rich Revering, PE – City Engineer  
**Subject:** Preserving Pond and Wetland Buffers  
Elko New Market  
Project No.: T15.100717

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### BACKGROUND

The City Council requested staff provide background information and recommendations on preserving pond and wetland buffers by correcting or preventing encroachments from adjacent landowners.

### DISCUSSION

#### A. Pond and Wetland Buffers Explained

Elko New Market's City Code requires the provision of natural, vegetative upland buffers around wetlands and storm water management ponds affected or created by development. The Minnesota Wetland Conservation Act requires buffers around created wetlands and offers various credits for buffer creation and preservation because of the numerous benefits they provide to all types of basins:

- Buffers enhance water quality by promoting deposition of sediments before runoff enters any pooled water in the basin. Sediments are often nutrient-rich, so this keeps nutrients out of the pond and reduces the amount of nutrients moving through the ponds to downstream receiving waters.
- Buffers promote safety by creating a barrier between people, especially kids, and pooled water. It can be inconvenient to walk through tall, thick natural vegetation. This reduces the desirability of making your way to the water's edge.
- Buffers promote bank stability and reduce erosion. The deep root systems associated with natural wetland and buffer vegetation keep soil in place and provide resiliency from damage by storms or burrowing animals.
- Buffers deter waterfowl. Geese especially prefer to land in and browse near waterbodies with minimal vegetation at the edge. The vegetation provides a place for predators to hide and makes it more difficult to reach areas where they like to browse for food, so geese tend to avoid well buffered ponds and wetlands.
- Buffers enhance open space by providing natural beauty and wildlife habitat. Natural buffers typically exhibit diverse, well established plant communities. The natural plants can be attractive on their own, but also attract birds and insects. Plant diversity makes buffers more resilient to weather patterns or disease.

Date: October 25th, 2018

The required buffer dimensions vary based on the existing vegetative diversity and quality or type of basin affected. Buffers are intended to remain largely untouched during and after development. The Code restricts almost all activities in the buffer, including mowing, dumping, vegetation removal, landscaping, etc. Only activities consistent with preservation of the buffer are permitted, such as noxious weed removal.

The buffers established during development, along with the basin they surround, are dedicated to the City of Elko New Market in outlots, or, mostly in the past, easements. The boundary is set to conservatively approximate the buffer. This usually means the dedicated area is slightly larger than the required buffer in order to simplify the boundary. Staff practice has been to consider the entire area within any boundary as buffer, even if technically larger than the code requirement. References to buffer areas in this memo mean the entire area contained in an outlot or drainage easement.

## B. Threats to Buffers

While natural threats to buffers exist such as fire or disease, the resulting damage tends to be short-lived due to plant diversity, deep root zones, and a seed-laden topsoil layer. The biggest long-term threats to buffers involve human activity such as farming or urbanization.

Farming practices or changes during development that damage the hydrology, soils, or plant communities can cause the buffer plants to favor only a few or even one species such as Reed Canary Grass or Cattails. Wetland protection laws the past few decades have generally been effective in preventing these changes. While some wetlands and buffers have diminished biodiversity that likely will not readily be reversed, staff feels the City's Code is adequate to protect wetland buffers that become surrounded by the city as it grows from this potential impact of urbanization.

There is, however; another impact of urbanization that has been occurring in Elko New Market. Most outlots or drainage easements setting aside buffers are surrounded by residential lots. The lots, typically in the backyard of homes, share a boundary with the buffer. There are numerous instances throughout the City of Elko New Market (and other communities as well) where this boundary has not been observed by homeowners. The extent of impacts has not been quantified, but can be seen upon examination of aerial photos around city easement or outlots.



Date: October 25th, 2018

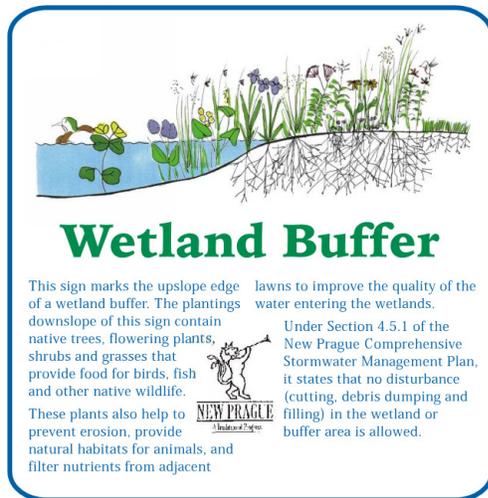
Failure to observe the boundary, or lack of awareness of its location, shows up in two primary ways and results in the various adverse impacts listed below:

1. Inquiries are made to staff about placing sheds, fences, and other items in City drainage easements for ponds and/or wetlands with no knowledge of where the easement boundary is or what activities are permitted therein.
  - a. Wastes applicant and city time to research, explain the Code, review options, and work through encroachment agreements or denials
  - b. Creates frustration in residents when an eagerly anticipated project is shot down suddenly by staff or faces an expensive and time-consuming hurdle to comply with the Code
2. Placement of sheds, fences, gardens, or other items or creation of compost piles or dumping occurs in City drainage easements for ponds and/or wetlands. Vegetation removal and mowing or even landscaping is conducted in City drainage easements or outlots and sometimes within the wetland buffer or the wetland itself.
  - a. Creates a burden on the City to address the encroachment if the easement is ever needed for its intended purpose.
  - b. Creates a false boundary that neighbors begin to adopt, leading to additional encroachments. An erosion of the purpose for the easements and expansion of perceived yards and responsibility – adverse possession
  - c. Leads to a challenging enforcement problem – “why was it ok until now?” “what about neighborhood X, Y, or Z?” “What about the golf course?” Who pays to restore? What are the standards? How to collect? Worth the required resource cost?
  - d. Mowing to water’s edge can attract nuisance waterfowl.
  - e. Mowing, landscaping, or dumping can threaten plant diversity.
  - f. Can be a violation of City code and the Wetland Conservation Act – City is responsible to enforce.

### C. Buffer Protection Techniques

The Wetland Conservation Act and City Code provide adequate protections for wetlands and buffers or the establishment of buffers during the development phase. Staff is recommending no changes to those practices with this review.

To discourage encroachments from homeowners, the City now requires signage to be posted at the rear lot line of residential parcels abutting outlots or easements containing wetlands and ponds and their associated buffers. None have yet been installed in Elko New Market since this requirement was adopted; however, they will be used at Boulder Heights, for example. Some photos from other communities of the various signs employed are shown below:



#### D. Restoring Wetland and Pond Buffers

Up until recently, it was City policy to enforce code violations only in response to complaints. While staff is aware there are numerous encroachments by homeowners into buffer areas, complaints have been few. Only one in recent memory has resulted in action to post signs to discourage future activity in the buffer and wetland.

Date: October 25th, 2018

Awareness of encroachments has spurred staff discussion about whether and what actions could be taken. One result of these discussions is the current signage requirement. A decision on whether to take measures to regain buffer areas already impacted by fences, mowing, etc. was deferred indefinitely based on the availability of staff resources compared to the likely effort involved. Awareness of encroachments over the years has resulted in no action due to the anticipated signage costs, staff and consultant time, and anticipated push-back of the types alluded to in section B above.

It is staff's view that if the City were to move to regain any buffer areas lost to encroachment, an intense and comprehensive approach with full council support would be more effective than a site by site approach in order to maintain a sense of fairness and equal treatment. A staged approach, perhaps starting with education/information, then rapid establishment of signage, followed by a period of time allowing homeowners to cease activity and remove encroachments, followed by active enforcement of stragglers would likely be the most cost effective and fair approach to eliminating encroachments. It may be worth using contracted installers to get all signs in place in a short amount of time. Location of the lines in the field would likely also require surveyor time so the signs can be placed properly.

### **RECOMMENDATION**

Discuss the above information at the upcoming regular meeting and provide feedback to staff whether a restoration campaign should be further explored.

**MINUTES  
CITY OF ELKO NEW MARKET  
PLANNING COMMISSION MEETING  
September 25, 2018  
7:00 PM**

**1. CALL TO ORDER**

Chairman Thompson called the meeting of the Elko New Market Planning Commission to order at 7:00 p.m.

Commission members present: Thompson, Vetter, Kruckman, Smith, Humphrey, Ex-officio member Anderson

Members absent and excused: None

Staff Present: Community Development Specialist Christianson and City Engineer Revering

**2. PLEDGE OF ALLEGIANCE**

Chairman Thompson led the Planning Commission in the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

A motion was made by Smith and seconded by Humphrey to approve the agenda as submitted. Motion carried: (5-0).

**4. PUBLIC COMMENT**

There were no public comments.

**5. ANNOUNCEMENTS**

**A. Resignation of Chairman Thompson**

Chairman Thompson announced that he has submitted his resignation from the Planning Commission due to the fact that he has sold his home and will be moving outside of the City limits. This September 25, 2018 meeting will be his final meeting. The Commission offered regrets and thanks to Chairman Thompson for his years of service to the Commission.

**6. APPROVAL OF MINUTES**

A motion was made by Humphrey and seconded by Vetter to approve the minutes of the August 28, 2018 Planning Commission meeting as written. Motion carried: (5-0).

**7. PUBLIC HEARINGS**

**A. Request for Rezoning #R4-2018 – City of Elko New Market, applicant**

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).

## 8. GENERAL BUSINESS

### A. Draft Amendment to Zoning Ordinance – Residential Lot Size Requirements

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated September 25, 2018 regarding Residential Lot Size Requirements. Christianson explained that at the both the March and August 2018 Planning Commission meeting there was discussion regarding minimum residential lots size requirements. The City's code currently contains one residential zoning district intended for new single-family residential development (R-1) and one residential zoning district intended to cover those existing smaller lots in older areas of the City (R-2). She reviewed the current minimum lot criteria in each district.

Christianson noted that staff continues to hear from residential developers that the market is going to smaller lots. Because of Elko New Market's larger minimum lot size requirements (12,000 square feet) for new developments, the City is commonly seeing developer's requesting PUD zoning, rather than utilizing the standard R-1 zoning district requirements. This was the case with Boulder Heights and Boulder Pointe 7<sup>th</sup> Addition, and the proposed Preserve at Elko New Market. She noted that staff is also in discussions with at least two other residential developers who have verbally stated their intent to develop using smaller / narrower lots, should they decide to move forward.

Christianson provided examples of neighborhoods that have been developed using PUD zoning, noting that the Glenborough neighborhood was a good use of the PUD because the development provided for a mix of housing options, additional trails, open space, and a recreational amenity. She noted that many of the other PUD's have been used primarily to allow variances from minimum lot sizes without a significant return.

Christianson explained that approximately thirteen other communities' lot size standards had been researched and she presented an overview of infrastructure costs related to varying lot widths. She noted that following discussions at both the March and August Planning Commission meetings, the Commission directed staff to prepare amendments to the City's Zoning Code and Comprehensive Plan as follows:

- Change the minimum standards in the R2 district to 8,400 square foot minimum lot size and 70' minimum lot width.
- Add clarifying language to both the Comprehensive Land Use Plan and also the R1 and R2 district "purpose" to further clarify where the City would support the use of R1 and R2 zoning.
- Review the standards of the R3 district to possibly include an option for a single family detached home as a permitted use, on a potential 50' lot width.

Draft amendments to the current zoning ordinance, 2030 Comprehensive Land Use Plan and the (draft) 2040 Land Use Plan were presented to the Planning Commission for discussion. Humphrey asked what the advantage of continuing to utilize PUD zoning would be. Chairman Thompson stated that the PUD zoning gives cities more control and ability to negotiate with developers. Humphrey stated that developers would know what to expect by

using zoning districts rather than the PUD zoning and that seems to be clearer. Mayor Crawford noted that the City's current R1 district standards do not meet the Met Council density requirements. Commissioner Smith suggested adding a table to the zoning ordinance showing the minimum standards for each zoning district. Staff noted that the City Attorney may have additional comments regarding the draft language. The Commission directed staff to prepare a public hearing regarding the proposed changes to minimum lot size requirements as outlined in the Planning Commission Memorandum dated September 25, 2018, subject to City Attorney recommendations.

## **9. MISCELLANEOUS**

### **A. City Staff/Consultant Business Updates and Reports**

Community Development Specialist Christianson provided updates to the Commission regarding several projects, including Christmas Pines, the Circleview property, the Adelman property, and the retail center.

## **10. ADJOURNMENT**

A motion was made by Thompson and seconded by Humphrey to adjourn the meeting at 8:26 p.m. Motion carried: (5-0).

Submitted by:



Renee Christianson  
Community Development Specialist

## ENM Parks Commission Update

### September 30, 2018

1. The City Council approved a budget of \$171,234.00 for the Parks Department for 2018. Through June 30, 2018, expenditures total \$66,202.04, or about 38.7%, of the total budgeted. We are well under the 50 % guideline for the first 6 months of 2018, but have not had further updates on the budget due to the recent resignation of our Accountant.
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 tentatively this Fall. I will 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 on the Agenda for the October meeting.
3. The SkatePark reopened on Monday, June 18th and will be open during regular park hours until cold weather. It remains open at this time, as the weather has stayed above freezing so far.
4. I have purchased the posts for the 2 Little Free Libraries to be installed in City parks – one near the digital sign board in front of City Hall and one in Wagner Park. I will purchase a third Little Free Library for Little Windrose Park to go along with the installation of the one near the digital sign and the one at Wagner Park this Spring. The Eagle Scout that I thought would take on this project has decided not to, so the Little Free Libraries will be put up as the Public Works Department gets time to do it this Fall.
5. 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.
6. 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 12<sup>th</sup> City Council Meeting. The Team

has now 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 been received. The contractor came in, paid for the permit, and the fence is complete.

7. 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 26<sup>th</sup>. 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. I will have a further update on it at the October meeting.
8. The City's new contact for 3 Rivers Park System programming will be Tyler Thompson, who will be starting on July 30<sup>th</sup>. 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-October to talk about the Winter programming.
9. Unfortunately, August was a bad month for vandalism in City parks. After approval for the Wagner Park Shelter repairs at the September 11<sup>th</sup> Parks Commission meeting, I signed the contract and emailed it in. I'm currently waiting for a date from Morton Buildings for the repairs.
10. 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, September 28<sup>th</sup> and Public Works will likely have the plaque replaced by the October Parks Commission Meeting.
11. 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!
12. Summer Family Fun Nights at the Wagner Park Shelter went great! Despite rainy weather for 3 of the 5 events, attendance was good! Here are the totals for each event: Mad Science – 115; Movie, Police Demo and Inflatable Waterslides – 85; The Big Fun Show – 75; Pony Parties Express – 65; and Como Zoo – 60 for a total of an estimated 400 people! “The Rad

Zoo”, which was cancelled due to the thunderstorms on Thursday, July 12<sup>th</sup>, was rescheduled to the 2018 Community Picnic on Saturday, August 18, which drew 200 residents. Sponsoring “Dazzling Dave” for “Night to Unite” on Tuesday, August 7<sup>th</sup> was our “finale” this Summer, as it has been for past 4 Summers. 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!

13. Disc Golf Course at Windrose Park. As you recall from the September Meeting, the cost would be about \$8,400, plus some time from the Public Works Department in constructing it. It is OK to construct the course in the wetlands area, but adjustments have been made in the design to minimize any effect that the course might have on them. Once I have a date for the Open House at the October meeting, I will do a Facebook posting on it and set up the Open House to talk about it with interested residents.
14. 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 October meeting.
15. A reminder that the next Parks Commission Meeting will be on Tuesday, October 9th, 2018 at 4:00 PM at ENM City Hall. See you there!