

**MINUTES  
CITY OF ELKO NEW MARKET  
PLANNING COMMISSION MEETING  
OCTOBER 24, 2023  
7:00 PM**

**1. CALL TO ORDER**

Chair Weber called the meeting of the Elko New Market Planning Commission to order at 7:02 p.m.

Commission members present: Weber, Smith, Pipo, Heimerl, and Ex-Officio Member Anderson (remote)

Members absent and excused: Hanson

Staff Present: City Administrator Thomas Terry, Senior Planner Renee Christianson, Planner Jake Skluzacek, Planner Brandon Malecha (remote), and City Engineer Revering

**2. PLEDGE OF ALLEGIANCE**

Chair Weber led the Planning Commission in the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

Chair Weber asked if there were any changes to the agenda. Senior Planner Christianson informed her that there were no changes.

A motion was made by Smith and seconded by Weber to approve the agenda as presented. Motion carried: (4-0).

**4. PUBLIC COMMENT**

None.

**5. ANNOUNCEMENTS**

**A. Introduction of Planner Brandon Malecha**

Planner, Brandon Malecha, introduced himself to the Commission via Zoom. Malecha has been with the City for almost a month and prior to that was an Intern with the City of Mankato. Malecha mentioned that he graduated from New Prague High School in 2014 and is originally from Lonsdale. Malecha obtained his Bachelor's degree in Urban and Regional Studies from Mankato State University and is currently working on his Master's degree in

Urban Planning. Malecha stated it was a pleasure to be with the Commission and is excited to be with the City. Chair Weber welcomed Malecha to the City.

**6. APPROVAL OF MINUTES**

A. A motion was made by Smith and seconded by Heimerl to approve the minutes of the August 29<sup>th</sup>, 2023, meeting as submitted. Motion carried: (4-0).

**7. PUBLIC HEARINGS**

None.

**8. GENERAL BUSINESS**

None.

**9. MISCELLANEOUS**

**A. Comprehensive Plan Chapter Review**

**• Chapter 1 – Introduction**

Senior Planner, Renee Christianson, explained to the Commission that one of the objectives of the Planning Commission is to periodically review the City's Comprehensive Plan. Some Planning Commissioners were not on the Commission at the time of the last update, so this also provides an educational component as the Planning Commission prepares for additional updates to the Comprehensive Plan.

Planner, Brandon Malecha, began his presentation to the Commission by first identifying what a Comprehensive Plan does. A Comprehensive Plan is a document that describes a community's vision of itself in the future. The plan is a compilation of a community's policy statements, goals, values, standards, and community maps which guide future development of the City. MN State Statute gives cities the authority to plan and manage land use to accomplish a community's objectives.

Malecha next explained that State Statute requires all metro area cities and counties to submit an updated Comprehensive Plan every 10 years. The Metropolitan Council is in charge of reviewing each individual plan to ensure consistency with the regional system plans, Thrive MSP 2040. Malecha then refreshed the Commission on the components involved in a Comprehensive Plan.

Malecha specifically presented Chapter 1 of the City's Comprehensive Plan, the Introduction. The Introduction section is intended to provide background information related to the Comprehensive Plan update including the following:

- Purpose
- Process
- History of the City

- Regional Planning & Directives
- Study Area

Malecha asked if there were any questions from the Commission. There were no questions from the Commission. Chair Weber thanked Malecha for his presentation.

## **B. 2023 City Wide Sweep Recap**

Planner, Jake Skluzacek, provided a recap to the Commission on the 2023 City Wide Sweep for code enforcement. Skluzacek provided some background related to the Sweep which was started in 2020. Once a year City Staff drive every street in the City looking for common City Code violations. Staff initially sends one letter containing the Ordinance in violation, a photograph of the violation, and a date to correct the violation. Staff will send a second letter with an additional deadline if the violation persists, and no contact has been made with Staff. Following the passage of the final deadline, the case is handed to the Police Department so that they may issue a citation to the violator.

Skluzacek presented graphs depicting the number of violations compared to citations issued over the years from 2020 to 2023. 2023 failed to continue a positive trend of fewer violations and fewer citations. Both the number of violations and citations issued were slightly higher in 2023 compared to 2022.

The next graph Skluzacek displayed was a breakdown of violations in 2023. The majority, nearly half of all violations, in 2023 were associated with recreational vehicles. This typically involves a recreational vehicle being improperly parked on grass, but can also include out of season recreational vehicles being stored outside and too many recreational vehicles on a property (maximum is 3). Exterior Storage violations accounted for the second most frequent Code Violation, followed by Long Weeds/Grass and Multiple Violations. Refuse/Debris violations constituted the smallest number of violations for 2023.

The final graph Skluzacek displayed to the Commission was the compliance breakdown for 2023. Most violations were resolved following the first letter sent by Staff, just over 32. 26 violations required a second letter but were corrected before the final deadline. 6 properties were cited by the Police Department as part of the 2023 City Wide Sweep.

Skluzacek asked if the Commission had any questions. City Engineer, Rich Revering, asked Skluzacek if there was any indication why there were more violations in 2023. Skluzacek did not know for sure but thought the lack of rain may have led to more people neglecting to mow as regularly which could have accounted for the increase in Long Weeds/Grass violations. Revering asked Skluzacek if he had the data to compare the violations from year to year. Skluzacek replied that he did not have the data with him but would be able to compile it to compare. Chair Weber thanked Skluzacek.

### **C. Virtual Meeting Etiquette / Training**

City Administrator, Thomas Terry, introduced the topic to the Commission. The City Council has provided direction to Staff to move all Commission meetings to hybrid meetings through the Zoom application. The City Council has already transitioned to hybrid meetings starting in late 2017. During the Covid Pandemic, the City utilized these hybrid meetings to allow remote participation in the meetings. This also allowed the meetings to be viewed live online. The City was able to utilize American Rescue Plan Act, (ARPA), funds to update the Council Chamber's technology to allow for regular hybrid meetings. The intent was to have Commissions begin utilizing a hybrid meeting format by the end of 2023.

Terry explained why the hybrid meeting format is any different from the way meetings are currently being conducted. Meetings may take on a more formal tone, discussion may become less open, and participants in the meeting may "play" to the video audience. Remote viewers can see the whole room and may not be as focused on the speaker as if they were in the room physically. This leads to unnecessary movements and sidebar discussions becoming increasingly noticeable and can draw attention away from the speaker at the time.

Next, Terry reminded the Commission of the intricacies related to audio for online meetings. Always make sure your microphone is on and you are speaking close enough to it so that those online can hear. The microphones are sensitive and can pick up background noise like shuffling papers and clicking pens so Terry reminded the Commissioners to be mindful of this as well. Terry added some guidelines related to attire. The Commission's attire reflects the Commission and the City and even if there is no physical audience, the video recording of the meeting is viewable on the City's website for years.

Terry then discussed some changes to meeting protocols that should be considered. To make things easier for the online audience, it may be necessary to state the name of the person making a motion, who seconded, and repeat the results of the vote because it may not be obvious to those viewing online. Speakers should be asked to come to the podium because it may be difficult to see or hear them in the audience when viewing online. The Commission and Staff should make sure that microphones are on, and the video is recording prior to the start of the meeting. Lastly, Terry went over online meeting instructions and protocols that will be shown at the start of each hybrid meeting. Chair Weber thanked Terry for his presentation.

### **D. Update Regarding 2024 Street Capital Improvement Projects**

City Engineer, Rich Revering, provided an update regarding the 2024 Street Capital Improvement Projects. First, he described the total reconstruction project taking place near the New Market downtown area. Specifically, St. Mary, St. Joseph, Church, West Louis, Williams, and Paul Street properties will be affected by the work.

Sidewalks will be added to the east side of Church Street, south side of St. Joseph Street, and part of the northern stretch of St. Joseph Street as well. Perpendicular parking stalls will be added on the north side of St. Joseph Street to allow for more additional overflow parking

spots. St. Joseph Street will also be narrowed to manage speeds. The project is slated to begin in April or early May when road restrictions get lifted.

Revering explained that the other major project for 2024 will involve the rehabilitation of several additional streets within the City. Revering explained the difference between a rehabilitation and a reconstruction project like the one previously presented. Rehabilitation typically occurs around the 20th to 25th year of a road's life. Rehabilitation involves milling the road and re-overlaying that material back down to extend the life of the road. A reconstruction project involves replacing the street and everything underneath it as well, including water and sewer.

Chair Weber asked if the informational meeting on this topic was well attended. Revering said it was well attended. There was a public hearing that was opened, continued, and is scheduled to be closed at the upcoming City Council meeting Thursday night, October 26th. Most of the concerns were from corner lots who believed they would be charged twice as much. Revering confirmed that is not the case and they are treated as one unit. This project has not yet been bid on and some changes to the plan may occur before 2024. Revering also shared that the City recently became eligible for Minnesota State Aid System City due to having over 5,000 population. Part of the rehabilitation project may be covered by these newly available funds.

## **E. Community Development Updates**

Senior Planner Christianson updated the Commission on an annexation for the Boulder Heights 4<sup>th</sup> Addition that occurred recently. Christianson added that The Preserve and the Old Town Apartment projects had begun construction. City Administrator Terry had a few general updates for the Commission not specifically related to planning or zoning. Terry gave an update on the City's water appropriation permit, which is indirectly related to the Niagara Bottling, LLC. Development. An increased water appropriation permit is required to accommodate both Niagara and future City growth. The permit is granted by the Minnesota Department of Natural Resources. The City is in the process of preparing for an aquifer pump test as required by the MN DNR as part of the permit process. The test involves pumping the maximum amount of water possible over the course of four weeks. Staff are preparing to start the test the week of October 30<sup>th</sup>. This test will help the MN DNR conclude if an updated appropriation permit for the City would cause any well interference on private wells that are in proximity to the City's wells.

Terry's next update to the Commission involved the State's new cannabis law. The City of Belle Plaine has expressed an interest in working with City Staff to research the possibility of creating a municipal cannabis dispensary. The City Council has provided direction to Staff to research the topic further in relation to licensing. There are a lot of unanswered questions, and the State Office which handles those questions is not fully operational yet.

Lastly, Terry provided an update to the Commission on the preliminary levy which has been certified at a 17.39% increase compared to the previous year. Terry explained what accounted for the increase from the previous year in addition to inflation and increased energy costs. Debt from capital projects and major equipment purchases are always a main

driver for levy increases. All fire apparatus has been replaced and the debt associated with street rehabilitation and construction projects are two major factors for the increase. Terry analogized comparing the situation to buying a new house. When the house is new, there is nothing to worry about fixing. When the house turns 20 years old, you will start to see expenses for repairs or replacement of the roof, driveway, water heater and so on. Two Police Officer positions were added in 2024 and costs were able to be partially offset by public safety dollars from the State. The City Council also has a process every three years to compare wages and benefits within a market group. The last time this was done was prior to Covid and since then the market group has made substantial adjustments. These adjustments will have an impact on the budget as well. This process is being done to remain competitive within the market group as well as to retain qualified City Staff.

## **F. Planning Commission Questions & Comments**

Commissioner Pipo had a question relating to The Preserve development. Pipo was curious if any plans have changed the single-family homes to multi-family. Senior Planner Christianson had not heard of any changes to the development. Pipo mentioned that construction has also been beginning before 7 AM as required by the City Code. City Administrator Terry noted that people can be on site walking around before 7 AM but no equipment should be moving. Terry instructed Pipo to contact the Police Department if work continues to start before 7 AM. Pipo stated that he would not likely do so. Terry stated that the City has not yet received any complaints associated with the start time.

Commissioner Smith had a question relating to City noise standards. Smith questioned if the City ever addressed the 9 AM start time for mowing grass or blowing snow. Discussion followed the discrepancy. Planner Skluzacek found that the code does have different start times for week and weekend work. On weekends, no mowing grass or similar activities are allowed until after 9 AM. There was an exemption for blowing snow. Staff will research the surrounding City's Codes to see if there is a need for a change.

Commissioner Pipo had another question regarding the property taxes of single-family compared to multi-family. Pipo questioned if they were the same or calculated at a different percentage. City Administrator Terry confirmed it is a percentage. In Minnesota, different classes of use have different tax rates. Terry further explained the process of how taxes are generated and the difference between the varying rates.

## **10. ADJOURNMENT**

It was moved by Smith and seconded by Pipo to adjourn the meeting at 8:18 p.m. Motion carried: (4-0).

Respectively submitted by:



Jake Skluzacek  
Planner 1