

**CITY OF ELKO NEW MARKET  
CITY COUNCIL AGENDA  
ELKO NEW MARKET CITY HALL  
601 MAIN STREET  
ELKO NEW MARKET, MINNESOTA 55054  
THURSDAY, SEPTEMBER 13, 2018**

**BUSINESS MEETING  
6:30 PM**

Invocation: Pastor Doyle Vangelder of Crossroads Church

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Adopt/Approve Agenda**

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

**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 August 9, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Authorize Hire of Public Works Maintenance Worker I
- d. Approve The Preserve at Elko New Market Orderly Annexation Agreement and Predevelopment Agreement

**7. Public Hearings**

**8. General Business**

**9. Reports**

- a. Administration
- b. Public Works
  - i. Superintendent Monthly Report
- c. Police Department
  - i. Police Chief Monthly Report
- d. Fire Department
- e. Engineering

- f. Community Development
  - i. Draft August 28, 2018 Planning Commission Minutes
- g. Parks Department
  - i. Parks Commission Update
- h. Other Committee and Board Reports
  - i. Scott County Association for Leadership and Efficiency (SCALE)
  - ii. Minnesota Valley Transit Authority (MVTA)
  - iii. I35 Solutions Alliance
  - iv. Chamber of Commerce
  - v. Regional Council of Mayors
  - vi. Civic & Community Events Committee (CCEC)
  - vii. Downtown Improvement Committee
  - viii. 50 By 30 Collective Impact Project
    - Steering Committee
    - Transportation Committee
    - Housing Committee
    - Workforce Committee

## **10. Discussion by Council**

## **11. Adjournment**

**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, Finance Director Doud and City Clerk Green

**2. PRESENTATIONS**

None

**3. REPORTS**

None

**4. GENERAL DISCUSSION**

Review Budget Priorities

City Administrator Terry and Finance Director Doud reviewed the 2019 draft budget with the City Council. After a lengthy discussion, Council provided the following changes to the 2019 Draft Budget:

- Legislative travel expenses were decreased from \$4,000 to \$3,000
- City Administrator travel expenses were decreased from \$2,000 to \$1,500
- City Administrator training and conferences expenses were decreased from \$1,800 to \$1,500
- City Clerk travel expenses were decreased from \$1,500 to \$1,000

Staff will make changes directed by Council and bring back a Preliminary 2019 Budget at the September 27, 2018 Council Meeting for review and adoption.

**5. REPORTS (Continued)**

No reports from the Business Agenda were presented.

**5. ADJOURNMENT**

The Work Session was adjourned at 7:32 p.m.

**1. CALL TO ORDER**

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

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

Members Absent None

Also Present: City Administrator Terry, City Attorney Poehler, City Engineer Revering, Finance Director Doud 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 Julius, second by Councilmember Timmerman to approve the agenda as revised.

Consent Agenda Item 6f revised to read “Adopt Resolution 18-46 Appointment of Planning Commissioner Humphrey”.

**APIF, MOTION CARRIED**

**4. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS**

Mayor Crawford performed the Oath of Office to Planning Commissioner Thomas Humphrey.

**5. PUBLIC COMMENT**

Scott County Commissioner Tom Wolf gave the Council a very brief update on current activities within Scott County including Luke Hennen and Jason Arras were the top two vote getters Sheriff’s race and New Market Township is currently discussing their road policy.

**6. CONSENT AGENDA**

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

- a. Approve August 9, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Adopt Resolution 18-43 Approving Temporary Liquor License for St. Nicholas Church
- d. Adopt Resolution 18-44 Approving One Day Gambling Permit for St. Nicholas Church
- e. Adopt Resolution 18-45 Approving One Day Gambling Permit for Knights of Columbus

f. Approve Appointment of Planning Commissioner Humphrey  
**APIF, MOTION CARRIED**

## 7. PUBLIC HEARINGS

None

## 8. GENERAL BUSINESS

### 2019 Streets Rehabilitation Project

City Engineer Revering and the City Council discussed holding a “Streets Expo” related to the proposed 2019 street rehabilitation project. The “Streets Expo” would be intended to bring information on current events related to streets to the public in an informal and interactive way.

The “Streets Expo” would potentially include the following:

- Information on the 2019 Street Rehabilitation tentatively consisting of edge milling and a thin overlay of selected streets based on condition ratings tracked by the City Engineer’s office.
- 2020 Roundabout Project proposed layout and information about the proposed project.
- Traffic Operations Change Requests – Copies of this recently passed policy will be provided and City Staff will be available to provide additional information.
- Pedestrian and Bicycle Safety Tips – Tentatively this will include City police officers providing safety tips on pedestrian and bicycle safety.

City Council directed City Staff to host a “Streets Expo” related to the proposed 2019 street rehabilitation project.

### Ordering Preparation of Feasibility Report

City Engineer Revering and the City Council discussed the State Statute requirement that a Feasibility Study be done when Special Assessments will be used to fund or part of the improvement project.

**MOTION** by Councilmember Timmerman, second by Councilmember Berg to Adopt Resolution 18-47 Ordering Preparation of Feasibility Report. **APIF, MOTION CARRIED**

## 9. REPORTS

### a) ADMINISTRATION

#### Police Officer Interview Panel Representatives

Mayor Crawford and former Councilmember Timmons previously served as Council Representatives on the Interview Panel for police officers. The Council discussed who should serve as Council Representatives on the Police Officer Interview Panel for the second round of interviews.

**MOTION** Councilmember Julius, second by Councilmember Timmerman to appoint Councilmember Julius and Councilmember Berg to serve as the two Council Representatives on the police officer interview panel. Ayes: Councilmembers Berg, Julius and Timmerman. Nays: Mayor Crawford. **MOTION CARRIED**

Council Mileage Reimbursement Policy

At the August 9, 2018 Council Meeting, the City Council directed staff to schedule a discussion regarding the mileage reimbursement policy for the City Council. After discussing this policy, the Council made no changes to the current mileage reimbursement policy and directed Staff to provide quarterly reports showing all mileage submitted for reimbursement by the Council.

b) PUBLIC WORKS

None

c) POLICE DEPARTMENT

None

d) FIRE DEPARTMENT

None

e) ENGINEERING

None

f) COMMUNITY DEVELOPMENT

Discussion Regarding Acquisition of 261 Main Street

Community Development Specialist Christianson informed the Council that Staff has been researching the feasibility of acquisition of a foreclosed property located at 261 Main Street in Elko New Market. After discussing this item, Council directed Staff to continue researching and gathering information on the foreclosed property located at 261 Main Street and bring this item back to Council at an upcoming meeting.

Community Development Specialist Christianson review with the Council the community development updates that were included in the Council Packet.

g) PARKS DEPARTMENT

Parks Commission draft August 7, 2018 Minutes included in Council Packet.

h) OTHER COMMITTEE AND BOARD REPORTS

i. SCALE

None

ii. MVTA

None

iii. I35 SOLUTIONS ALLIANCE

None

iv. CHAMBER OF COMMERCE

None

v. REGIONAL COUNCIL OF MAYORS

None

vi. COMMUNITY AND CIVIC EVENTS COMMITTEE

City Clerk Green gave a very brief update of the last Community and Civic Events Committee Meeting which included preparations for the upcoming Halloween Party.

vii. DOWNTOWN IMPROVEMENT COMMITTEE

None

viii. 50 BY 30 COLLECTIVE IMPACT PROJECT

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

10. DISCUSSION BY COUNCIL

None

11. ADJOURNMENT

**MOTION** by Councilmember Julius, second by Councilmember Timmerman to adjourn the meeting at 8:56 p.m. **APIF, MOTION CARRIED**

Respectfully submitted by:

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Sandra Green, City Clerk



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Presentation of Elko New Market Claims and Electronic Transfer of Funds
<b>MEETING DATE:</b>	September 13, 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

## \*Check Summary Register© September 13, 2018

Name	Check Date	Check Amt	
<b>AUTO PAYS</b>			
Paid Chk# 005680EPERA	8/21/2018	\$7,772.06	Vendor Liability
Paid Chk# 005681EMN DEPT OF REVENUE	8/21/2018	\$1,880.19	Vendor Liability
Paid Chk# 005682EINTERNAL REVENUE SERVICE	8/21/2018	\$9,054.44	Vendor Liability
Paid Chk# 005683EHEALTH EQUITY, INC.	8/21/2018	\$591.53	HSAEmployee Contribution
Paid Chk# 005684EPERA	9/4/2018	\$7,376.42	Vendor Liability
Paid Chk# 005685EMN DEPT OF REVENUE	9/4/2018	\$1,980.31	Vendor Liability
Paid Chk# 005686EINTERNAL REVENUE SERVICE	9/4/2018	\$8,873.64	Vendor Liability
Paid Chk# 005687EHEALTH EQUITY, INC.	9/4/2018	\$541.53	H.S.A. Employee Contributions
Paid Chk# 005688EMN VALLEY ELECTRIC CO	8/22/2018	\$19.00	268X Xerxes Water Tower, Elko
Paid Chk# 005689ENEW MARKET STATE BANK	8/31/2018	\$30.00	August PAYROLL ACH FEE
Paid Chk# 005690EMINNESOTA ENERGY	9/14/2018	\$51.55	26518 France Avenue
Paid Chk# 005691EMINNESOTA ENERGY	9/14/2018	\$20.62	26518 France Avenue
Paid Chk# 005692EXCEL ENERGY	9/21/2018	\$251.08	Storage
Paid Chk# 005693EXCEL ENERGY	9/24/2018	\$153.61	Lift Station / 10010 Ptarmigan
Paid Chk# 005694EXCEL ENERGY	9/25/2018	\$3,699.07	25499 Natchez Ave - Water Trea
Paid Chk# 005695EXCEL ENERGY	9/24/2018	\$1,286.08	Wellhouse - 26460 France Ave
Paid Chk# 005696EXCEL ENERGY	9/20/2018	\$1,444.57	26536 France Ave
Paid Chk# 005697EMN VALLEY ELECTRIC CO	9/9/2018	\$10.74	City of Elko Park, Elko
Paid Chk# 005698EXCEL ENERGY	9/20/2018	\$925.44	Library - 100 J Roberts Way
Paid Chk# 005699EMN VALLEY ELECTRIC CO	9/22/2018	\$1,405.14	Streetlights, Elko
Paid Chk# 005700EMN VALLEY ELECTRIC CO	9/9/2018	\$74.99	Glenborough Dr & Chowen
Paid Chk# 005701EMN VALLEY ELECTRIC CO	9/22/2018	\$35.25	27059 Beard Ave Lift Pump
Paid Chk# 005702EMINNESOTA ENERGY	9/18/2018	\$22.23	408 Carter Street
Paid Chk# 005703EMINNESOTA ENERGY	9/18/2018	\$23.87	359 James Parkway
Paid Chk# 005704EMINNESOTA ENERGY	9/18/2018	\$51.55	110 J Roberts Way - Library
Paid Chk# 005705EMINNESOTA ENERGY	9/14/2018	\$20.62	26518 France Avenue
Paid Chk# 005706EMINNESOTA ENERGY	9/14/2018	\$57.31	PW Facility - Gas Utilities
Paid Chk# 005707EMINNESOTA ENERGY	9/13/2018	\$67.38	25499 Natchez Ave - WTP
Paid Chk# 005708EMINNESOTA ENERGY	9/20/2018	\$43.94	50 Church Street
Paid Chk# 005709EMINNESOTA ENERGY	9/20/2018	\$78.13	601 Main Street
Paid Chk# 005710EMINNESOTA ENERGY	9/20/2018	\$23.06	151 Williams Street
Paid Chk# 005711EPSN	9/4/2018	\$1,155.48	Credit Card Processing Fees
	<b>Total Checks</b>	<b>\$49,020.83</b>	
<b>PRE-PAID</b>			
Paid Chk# 038841 STEPHANIE ADAMS	8/18/2018	\$200.00	Facepainting at Community Picnic
Paid Chk# 038842 PAYROLL	8/23/2018	\$69.26	
Paid Chk# 038843 PAYROLL	8/23/2018	\$429.25	
Paid Chk# 038844 PAYROLL	8/23/2018	\$69.26	
Paid Chk# 038845 KAREN BISTODEAU	8/21/2018	\$200.00	Community Picnic Facepainting
Paid Chk# 038846 DELTA DENTAL OF MINNESOTA	8/22/2018	\$713.50	Dental Insurance - September 2
Paid Chk# 038847 VERIZON WIRELESS	9/5/2018	\$806.62	Cell Phones
Paid Chk# 038848 KINGDOM CLEANING	9/5/2018	\$1,890.00	City Hall
	<b>Total Checks</b>	<b>\$4,377.89</b>	
<b>CHECK REGISTER</b>			
Paid Chk# 038849 ABOVE ALL GARAGE DOOR	9/13/2018	\$2,997.25	PW - Building Maint
Paid Chk# 038850 ACE HARDWARE & PAINT	9/13/2018	\$232.45	PW - Building Maint
Paid Chk# 038851 ACE HARDWARE & PAINT4	9/13/2018	\$3.20	PW - Building Maint
Paid Chk# 038852 AEM FINANCIAL SOLUTIONS	9/13/2018	\$10,733.60	Financial Services
Paid Chk# 038853 ANCOM COMMUNICATIONS	9/13/2018	\$442.50	FD - Pagors
Paid Chk# 038854 APPLE FORD LINCOLN	9/13/2018	\$16.46	Police Fleet
Paid Chk# 038855 APPLE VALLEY MEDICAL CLINIC	9/13/2018	\$122.00	Pre Employ Testing - Dan Smith
Paid Chk# 038856 BLACKFIRE CREATIVE, INC.	9/13/2018	\$67.76	PW - Fleet Maint & Equip
Paid Chk# 038857 BOLTON & MENK	9/13/2018	\$25,839.00	T15.100719 - Streets/Facilitie
Paid Chk# 038858 CAMPBELL KNUTSON	9/13/2018	\$2,185.90	General Legal July 2018
Paid Chk# 038859 CINTAS CORPORATION NO. 2	9/13/2018	\$38.44	PW - Operating Supplies
Paid Chk# 038860 COMMERCIAL ASPHALT	9/13/2018	\$813.67	PW - Streets
Paid Chk# 038861 CORE & MAIN LP	9/13/2018	\$5,068.56	PW - Water Repairs/Hydrant on

Paid Chk#	038862	CULLIGAN BOTTLED WATER	9/13/2018	\$73.00	Bottled Water
Paid Chk#	038863	EMERGENCY AUTO TECH INC	9/13/2018	\$316.60	PD - Equip Vehicle/Spotlights
Paid Chk#	038864	FASTENAL COMPANY	9/13/2018	\$10.82	PW - Fleet Maint & Equip
Paid Chk#	038865	FORCE AMERICA DISTRIBUTING	9/13/2018	\$3,063.21	PW - Fleet Maint & Equip
Paid Chk#	038866	FOREMOST PROMOTIONS	9/13/2018	\$286.55	FD - Coloring Books
Paid Chk#	038867	GALLS, LLC	9/13/2018	\$54.95	PD - Uniforms
Paid Chk#	038868	SANDRA GREEN	9/13/2018	\$69.43	Mileage
Paid Chk#	038869	HAWKINS, INC.	9/13/2018	\$264.28	PW - Water Chemicals
Paid Chk#	038870	INNOVATIVE OFFICE SOLUT	9/13/2018	\$164.08	Office Supplies
Paid Chk#	038871	KELLEY FUELS, INC.	9/13/2018	\$2,031.36	PD - Fuel
Paid Chk#	038872	LANO EQUIPMENT, INC.	9/13/2018	\$5.12	PW - Fleet Maint & Equip
Paid Chk#	038873	LARKSTUR ENGINEERING	9/13/2018	\$106.72	PW - Fleet Maint & Equip
Paid Chk#	038874	LEAGUE OF MN CITIES	9/13/2018	\$5,064.00	Membership Dues 2018
Paid Chk#	038875	METROPOLITAN COUNCIL	9/13/2018	\$8,987.10	Reserve Capacity Load 2016 Pmt
Paid Chk#	038876	METROPOLITAN COUNCIL	9/13/2018	\$22,568.75	2018 Reserve Capacity Loan Pmt
Paid Chk#	038877	METROPOLITAN COUNCIL	9/13/2018	\$10,712.64	2017 Reserve Capacity Loan Pmt
Paid Chk#	038878	METROPOLITAN COUNCIL	9/13/2018	\$18,807.29	MCES Charges - Oct 2018
Paid Chk#	038879	MN CRITTER GETTERS, INC.	9/13/2018	\$1,174.00	Monthly Animal Control
Paid Chk#	038880	MN DEPT OF HEALTH	9/13/2018	\$2,208.00	Comm Water Supply - Svc Conn F
Paid Chk#	038881	MN DEPT OF HEALTH	9/13/2018	\$32.00	Water Operator Exam Class D -
Paid Chk#	038882	MN DEPT OF HEALTH	9/13/2018	\$32.00	Water Operator Exam Class D -
Paid Chk#	038883	MN MAYORS ASSOCIATION	9/13/2018	\$30.00	Annual Membership Dues - Mayor
Paid Chk#	038884	MN RURAL WATER ASSN	9/13/2018	\$510.00	C&D Water Exam Refresher - Pay
Paid Chk#	038885	MN Pollution Control Agency	9/13/2018	\$890.00	2018 Wastewater Training - Pay
Paid Chk#	038886	MTI DISTRIBUTING INC.	9/13/2018	\$259.33	PW - Fleet Maint & Equip
Paid Chk#	038887	MUNICIPAL INSPECTIONS, INC.	9/13/2018	\$17,083.10	Erosion Control Inspections
Paid Chk#	038888	MVTL LABORATORIES	9/13/2018	\$95.00	PW - Water Testing
Paid Chk#	038889	NAPA AUTO PARTS	9/13/2018	\$10.62	FD - Fleet Maint & Equip
Paid Chk#	038890	NASSEFF MECHANICAL	9/13/2018	\$1,608.88	PW - Water Repairs/RPZ Testing
Paid Chk#	038891	NORTHLAND PEST CONTROL	9/13/2018	\$21.25	Pest Control - Library
Paid Chk#	038892	NOVACARE REHABILITATION	9/13/2018	\$120.00	Pre Employ Test - Dan Smith
Paid Chk#	038893	QUILL CORPORATION	9/13/2018	\$62.45	Office Supplies
Paid Chk#	038894	SCHLOMKAS PORTABLE	9/13/2018	\$710.00	Portable Restrooms
Paid Chk#	038895	SCOTT COUNTY RECORDER	9/13/2018	\$46.00	F11-18 Fence Encroachment Agmt
Paid Chk#	038896	SHERWIN-WILLIAMS	9/13/2018	\$64.92	Parks Repairs
Paid Chk#	038897	C/O SHRED RIGHT	9/13/2018	\$54.00	Shredding
Paid Chk#	038898	SOUTH METRO RENTAL	9/13/2018	\$900.00	PW - Stormwater Repairs
Paid Chk#	038899	SPRIGGS PLUMBING & HEATING	9/13/2018	\$2,728.90	PW - Water Repairs
Paid Chk#	038900	SUEL PRINTING COMPANY	9/13/2018	\$125.00	Legal Ads
Paid Chk#	038901	THE BIG FUN SHOW	9/13/2018	\$350.00	7-19-18 Event at Wagner Park
Paid Chk#	038902	ULINE	9/13/2018	\$91.40	FD - Containers
Paid Chk#	038903	UNIVERSITY OF MINNESOTA	9/13/2018	\$85.00	MN Tree Inspector Registration
Paid Chk#	038904	US BANK - CM9690	9/13/2018	\$1,000.00	ENM GO Bonds 2015A
Paid Chk#	038905	SPLIT ROCK MANAGEMENT INC	9/13/2018	\$845.00	LIBRARY CLEANING
<b>Total Checks</b>				<b>\$152,283.54</b>	

### **DIRECT DEPOSITS**

Paid Chk#501944EBil-Weekly ACH	8/23/18	\$32,412.49
Paid Chk#501964EBil-Weekly ACH	9/06/18	\$29,485.96
<b>Total Checks</b>		<b>\$61,898.45</b>



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Authorize Hire of Public Works Maintenance Worker I
<b>MEETING DATE:</b>	September 13, 2018
<b>PREPARED BY:</b>	Thomas Terry, City Administrator
<b>REQUESTED ACTION:</b>	Direct staff to post the Maintenance Worker I position and authorize the City Administrator to hire the position.

## COMMUNITY VISION:

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

## 5 YEAR GOALS:

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

## COMMUNITY ORIENTED LOCAL GOVERNMENT:

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

**BACKGROUND:**

Chad Shell, Public Works Maintenance Worker II tendered his resignation, effective September 21, 2018. Shell has been employed by the City since June 20, 2011.

**DISCUSSION:**

The City Council is being asked to authorize filling the vacancy through the hiring of a Public Works Maintenance Worker I.

**BUDGET IMPACT:**

Potential for reduction in payroll expense. The specific variance will be dependent upon the length of vacancy and the step at which new employee is hired.



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Petition for Annexation
<b>MEETING DATE:</b>	September 13, 2018
<b>PREPARED BY:</b>	Renee Christianson, Community Development Specialist
<b>REQUESTED ACTION:</b>	Approve Orderly Annexation Agreement and Predevelopment Agreement

## COMMUNITY VISION:

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## COMMUNITY ORIENTED LOCAL GOVERNMENT:

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

## **BACKGROUND**

Kevin Komorouski has submitted a petition for annexation of approximately 10 acres of property located on the south side of County Road 2, on the west edge of the city limits. The requested annexation is to accommodate the proposed residential development of The Preserve at Elko New Market which contains approximately 31 lots. In order for the developer to apply for zoning and plat approval, the property will need to be annexed into the City. The Planning Commission and City Council have previously reviewed a concept plan of the development. On July 26, 2018, the City Council recommended that upon receipt of a petition for annexation staff prepare an Orderly Annexation Agreement for the property, work with New Market Township Board regarding terms of annexation, and prepare a Predevelopment Agreement outlining the terms of the annexation, and also noting the following:

1. The City supports the use of the site for single-family residential purposes and supports the annexation of the subject property for such use.
2. The City supports Planned Unit Development (PUD) zoning for the property.
3. The City supports a minimum lot width of 70 feet for the proposed development.
4. The City supports setbacks of 5 feet along the garage side of homes and 10 feet along occupied portions of the homes, or 15 feet between each home.
5. The City recommends that sidewalks be provided on the east side of the proposed north-south street and the south side of Park Street.
6. The City recommends that the developer provide a location for a future trail connection leading from the development to the future trail along the south side of County Road 2.
7. The City recommends that the developer contribute to the cost of a future trail segment along County Road 2.
8. The City recommends that a trail connection from the residential development to the DNR protected wetland area located south of the subject site (as shown on the City's adopted Park & Trail Plan) be provided within the 10-acre site to the west (when it is developed), due to grade issues on the subject property.
9. If architectural requirements are to be imposed as a "trade-off" for PUD zoning, the requirements should not be to an extreme degree.

## **Discussion**

Based on direction from the City Council at the July 26, 2018 meeting, the City Attorney has drafted a pre-development agreement (attached) which has been signed by the developer and property owners. A Joint Resolution for Orderly Annexation (OAA) has also been prepared, reviewed by the City Attorney, and approved by New Market Township.

### Pre-Development Agreement

The annexation of the property is contingent upon the Developer agreeing to certain development terms in connection with the future development of the property. The agreement includes:

- The need for rezoning the property for development from its initial Urban Reserve zoning;
- Identification and payment of public infrastructure by Developer;
- Dedication requirements for street right-of-way;
- Requirements for entering into a final development contract

### Joint Resolution for Orderly Annexation

The OAA is the document that will be submitted to the State Office of Administrative Hearings to finalize the annexation of the property upon approval and execution by the City and Township. The OAA provides the legal description of the property to be annexed. The OAA provides:

- Tax reimbursement from the City to the Township, the equivalent of 5 years property taxes based on the Town 2018 payable property taxes, a total amount of \$3,717.15 to be paid on or before January 1, 2019 and based on the 2018 tax payment to the Town of \$743.43
- Each party to pay its own costs incurred in the negotiation of OAA.

### General – Tax Reimbursement

The general issue of tax reimbursement or compensation to townships upon annexations has been handled a variety of ways over the past several years. Some cities and townships have negotiated a “per acre” fee to the township, while other cities have provided for a tax reimbursement to the township based on tax revenues currently received.

The City of Elko New Market and New Market Township have also used a variety of methods to achieve some type of compensation to the township for lost tax revenues. A fairly common reimbursement that has been used was three years of tax reimbursement, while others such as Ryan Companies provided for an escalating \$500 per acre fee and the Adelman property provided for a \$1,500 per net acre fee.

New Market Township initially requested ten years of tax reimbursement for this current annexation request. Through further negotiations and discussions with the township, the tax reimbursement was reduced to five years. Staff and the City Attorney are comfortable with the five year reimbursement and notes that the term does have the possibility to set a precedent for future annexations.

### **REQUESTED ACTION:**

Approve Resolution #18-48 approving the Joint Resolution Establishing an Orderly Annexation Agreement Between the City of Elko New Market and New Market Township Pursuant to Minnesota Statutes, Section 414.0325 to Provide for the Immediate Annexation of Certain Property, and, approve Resolution #18-49 approving the Pre-Development Agreement: Annexation *The Preserve*.

Attachments:

- Resolution #18-48 - Joint Resolution Establishing an Orderly Annexation Agreement Between the City of Elko New Market and New Market Township to Provide for Immediate Annexation
- Resolution #18-49 Approving Predevelopment Agreement
- Pre-Development Agreement: Annexation *The Preserve*

**CITY OF ELKO NEW MARKET  
(Resolution No. 18-48)**

**NEW MARKET TOWNSHIP  
(Resolution No. 2018-007)**

**JOINT RESOLUTION ESTABLISHING AN ORDERLY ANNEXATION  
AGREEMENT BETWEEN THE CITY OF ELKO NEW MARKET AND NEW MARKET  
TOWNSHIP PURSUANT TO MINNESOTA STATUTES, SECTION 414.0325 TO  
PROVIDE FOR THE IMMEDIATE ANNEXATION OF CERTAIN PROPERTY**

**WHEREAS**, the City of Elko New Market, Scott County, Minnesota (“City”) and New Market Township, Scott County, Minnesota (“Town”) both desire to accommodate growth in a cooperative, planned, and orderly fashion; and

**WHEREAS**, the City and Town are in agreement as to the orderly annexation of the unincorporated land described herein, and both determine such annexation will be to their benefit and to the benefit of their respective residents; and

**WHEREAS**, Minnesota Statutes, section 414.0325 provides a procedure whereby the City and the Town may agree on a process of orderly annexation of a designated area; and

**WHEREAS**, the City and the Town are in agreement as to the immediate annexation of the designated area in accordance with the provisions of this orderly annexation agreement (“Agreement”) in order to promote orderly and planned residential growth; and

**WHEREAS**, the subject property is urban or suburban or about to become so, and since the City is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area; and

**WHEREAS**, the owners of the property have waived the electric utility service notice under Minnesota Statutes, section 414.0325, subdivision 1a as the provider of such service will not change as a result of the annexation; and

**WHEREAS**, the notice requirements prescribed by Minnesota Statutes, section 414.0325, subdivision 1b do not apply because the Agreement provides for the immediate annexation of the designated property and all of the owners of the property have petitioned for the annexation; and

**WHEREAS**, this Agreement sets out all of the terms and conditions for the annexation of the property described within this document and the signatories hereto agree that no consideration by the Chief Administrative Law Judge of the Office of Administrative Hearings is necessary.

**NOW, THEREFORE,** the City Council of the City of Elko New Market and the Town Board of New Market Township hereby resolve and agree to the immediate annexation into the City of the property herein described upon the following terms and conditions:

1. **Designated Area.** The unincorporated property designated for orderly annexation by this Agreement consists of the land legally described in the attached Exhibit A and shown on map attached hereto as Exhibit B (“Property”).
2. **Immediate Annexation.** It is agreed that the Property be immediately annexed to the City. Upon its adoption by both the City and the Town, the City shall file this Agreement with the Chief Administrative Law Judge for processing and an order providing for the immediate annexation of the Property pursuant to its terms. This City shall be responsible for providing any additional information that may be required to accomplish the annexation provided for herein.
3. **Acres/Population/Usage/Zoning.**
  - a. The Property consists of approximately 10 acres.
  - b. The population of the Property is currently two.
  - c. The Property is owned by Ted A. Oakland and Pamela S. Oakland, as joint tenants, who both signed a petition for this annexation as part of a desire to subdivide and develop this land into single-family residential lots.
  - d. The Property abuts the west boundary line of the main City limits and is not included within any other municipality.
  - e. Upon annexation, the Property will be included in the City’s urban reserve district, subject to an anticipated rezoning request by the petitioners and/or any other prospective developer.
4. **Roads.** This annexation will have no effect on the jurisdiction over, or maintenance of, any public roads.
5. **Jurisdiction.** Pursuant to Minnesota Statutes, section 414.0325, the Town and the City, upon passage of this joint resolution, confer jurisdiction upon the Chief Administrative Law Judge so as to accomplish orderly annexation in accordance with the terms of this Agreement.
6. **Tax Reimbursement.** Taxes payable to the Town in 2018 on the Property total \$743.43 and those 2018 taxes shall be paid to the Town. Pursuant to Minnesota Statutes, section 414.036, the City and the Town agree that upon annexation of the Property, the City shall reimburse the Town for the equivalent of 5 years of property taxes associated with the Property, determined by the 2018 taxes. Therefore, the City shall pay the Town a lump sum of \$3,717.15 on or before January 1, 2019. There are no special assessments assigned by the Town to the Property, nor is there any debt incurred by the Town attributable to the Property.

7. **Review and Comment.** The City and the Town agree that upon receipt of this Agreement, as passed and adopted by each party, the Chief Administrative Law Judge may review and comment but shall, within 30 days, order the annexation in accordance with the terms of this Agreement. The City and Town agree that no alteration of the stated boundaries of the orderly annexation area as shown and described in the attached exhibits is appropriate, that no consideration by the Chief Administrative Law Judge is necessary, that all terms and conditions for annexation are provided for in this Agreement, and that no alteration of the terms and conditions of this Agreement by the Chief Administrative Law Judge is appropriate.
8. **Binding Contract.** Pursuant to Minnesota Statutes, section 414.0325, subdivision 6, this Agreement is a binding contract upon the parties and is enforceable in district court in the county containing the Property.
9. **Costs Associated with the Orderly Annexation Agreement.** Each party shall pay its own costs incurred in the negotiation, development and implementation of this Agreement, with the exception that the City shall pay for the recording and filing fees, and costs incurred to make any needed corrections.
10. **Entire Agreement.** The terms, covenants, conditions, and provisions of this Agreement, including Exhibits A and B, which are attached hereto and incorporated herein by reference, shall constitute the entire agreement between the parties. No amendment to this Agreement shall be effective unless mutually agreed to by the City and Town. Any prior joint resolutions or agreements regarding all or any portion of the Property are superseded by, and shall not interfere with or otherwise control, the terms of this Agreement.
11. **Effective Date/Applicability.** This Agreement is effective upon its adoption by the respective governing bodies of both the Town and the City. The annexation of the Property shall be effective upon the issuance of the order by the Chief Administrative Law Judge. This Agreement is only meant to apply to the Property and not to any other property or area within the Town.
12. **Adopt and Enforce Regulations.** The City's zoning and subdivisions regulations shall apply to the Property annexed pursuant to this Agreement upon the effective date of the Chief Administrative Law Judge's order approving the annexation. Until such time as the annexation is effective, the Property shall remain subject to the Town's ordinances and regulations.
13. **Authorization.** The appropriate officers of the City and the Town are hereby authorized to carry the terms of this Agreement into effect.
14. **Governing Law.** This Agreement is made pursuant to, and shall be construed in accordance with, the laws of the State of Minnesota.

[signature pages to follow]

Adopted by affirmative vote of the New Market Town Board this 4<sup>th</sup> day of Sept 2018,  
2018.

**NEW MARKET TOWNSHIP**

By:   
Town Chairperson

By:   
Town Clerk

Adopted by affirmative vote of the City Council of the City of Elko New Market, this \_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF ELKO NEW MARKET**

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

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

**EXHIBIT A**

Legal Description of the Property Being Annexed

The East 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 29, Township 113, Range 21, according to the United States Government Survey Thereof and situate in Scott County, Minnesota.

**EXHIBIT B**  
Map of the Property



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

**RESOLUTION NO. 18-49**

**RESOLUTION  
GRANTING APPROVAL OF A PRE-DEVELOPMENT AGREEMENT**

**WHEREAS**, Kevin Komorouski (“Developer”) has applied for annexation of real property for future development legally described as follows:

The East ½ of the West ½ of the Northeast ¼ of the northeast ¼ of Section 29, Township 113, Range 21, according to the United States Government Survey thereof and situate in Scott county Minnesota (“Property”);

**WHEREAS**, the fee owners of the Property are Ted A. Oakland and Pamela S. Oakland (“Fee Owners”);

**WHEREAS**, as a condition of Annexation, the City has required that the Developer enter into the Pre-Development Agreement attached hereto and incorporated herein as Exhibit A (“Pre-Development Agreement”);

**WHEREAS**, the Fee Owners have consented to the Annexation and the Pre-Development Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Elko New Market City Council that the Pre-Development Agreement is hereby approved.

**PASSED, ADOPTED AND APPROVED** this 13<sup>th</sup> day of September, 2018.

**CITY OF ELKO NEW MARKET**

\_\_\_\_\_  
Robert Crawford, Mayor

**ATTEST:**

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

**EXHIBIT A**

[attach Pre-Development Agreement]

*(reserved for recording information)*

**PRE-DEVELOPMENT AGREEMENT: ANNEXATION**

***THE PRESERVE***

**AGREEMENT** dated September 13, 2018, by and between the **CITY OF ELKO NEW MARKET**, a Minnesota municipal corporation (“City”), and **KEVIN KOMOROUSKI**, a married person (the “Developer”).

**WHEREAS**, Developer is requesting to have property that Developer is purchasing annexed to the City for imminent residential development, which property is legally described on the attached Exhibit “A” (“Property”);

**WHEREAS**, the City has the authority and capacity to provide city services, including but not limited to water and sewer utility services to the Property, and

**WHEREAS**, as a condition of annexation of the Property, the City requires that Developer enter into this pre-development agreement to establish terms regarding the financing of the extension and provision of city services to the Property and costs associated with maintenance and upgrade of roads to serve the Property;

**NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**1. REQUEST FOR APPROVAL.** The Developer is requesting the City approve the annexation of the Property into the City of Elko New Market and will, in the future, request City approval for rezoning, subdivision and building permits.

**2. STIPULATIONS.** The parties hereto have agreed to execute this Pre-development Agreement outlining the requirements for annexation. The following conditions hereby pertain to this Development:

**A. Annexation.** The City agrees to annex the Property into the City. The annexed property shall be zoned Urban Reserve and a rezoning will be required prior to development of the property.

**B. Payment for Public Infrastructure.** As a condition of annexation, rezoning and final plat approval for the Property, Developer shall be responsible for development of the property as a single family residential development and construction of the improvements and associated costs necessary for the development of the Property, in addition to interior development improvements which requirement shall be incorporated into the final development contract for the Property.

**C. Final approvals.** Nothing in this Pre-development Agreement shall constitute an approval for the development of the Property or any plan details that have been submitted preliminarily for purposes of this agreement. The Developer is required to proceed through the formal development approval process through the Planning Commission and City Council for the project, which may result in additional design features or conditions of approval not outlined in this Agreement.

**3. DEVELOPMENT AGREEMENT.** As part of the approval process by the City for the development of the Property, a final Development Agreement will be required to be executed. The Development Agreement will cover the obligations by the Developer to pay for certain public improvements and fees, including but not limited to the following, as outlined below:

- The Developer will pay for all costs associated with construction of the development, including all new roads, curb and gutter, sidewalks/trails, storm sewer, watermain, sanitary sewer, landscaping, grading, signing and striping, streetlights and any other items necessary to construct the Development.
- The Developer will pay for all costs associated with relocating any private utilities, ie. gas, electric, phone, etc., or for installations of any new private utilities.
- The Developer will provide security in the form of a letter of credit in the amount of 125% of the cost of the improvements as approved by the City Engineer.
- The Developer will pay all fees associated with the Development prior to the final plat being approved including, but not limited to, trunk fees, area charges, park dedication, engineering and administrative fees, inspection, etc.
- The Developer will obtain all permits necessary to construct the project including, but not limited to, MnDOT, Scott County, MPCA (NPDES), and other associated agencies.
- Developer shall provide to City 2 year warranties on street and utility improvements installed by Developer.

The details for all these requirements will be included in the final Development Agreement.

**4. DEFAULT.** Default by the Developer of the terms of this Agreement may, in addition to other remedies available to the City, result in detachment of the Property from the City.

*(Signature Pages to Follow)*

**CITY OF ELKO NEW MARKET**

BY: \_\_\_\_\_  
Bob Crawford, Mayor

(SEAL)

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

STATE OF MINNESOTA )  
( ss.  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Bob Crawford and by Sandra Green, the Mayor and City Clerk of the City of Elko New Market, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

\_\_\_\_\_  
NOTARY PUBLIC



**FEE OWNER CONSENT  
TO  
PRE-DEVELOPMENT AGREEMENT**

Ted A. Oakland and Pamela S. Oakland, husband and wife, fee owners of all or part of the property, the development of which is governed by the foregoing Pre-Development Agreement, affirm and consent to the provisions thereof and agree to be bound by the provisions as the same may apply to that portion of the property owned by them.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

By: \_\_\_\_\_  
Ted A. Oakland

By: \_\_\_\_\_  
Pamela S. Oakland

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018, by Ted A. Oakland and Pamela S. Oakland, husband and wife.

\_\_\_\_\_  
NOTARY PUBLIC

DRAFTED BY:  
CAMPBELL, KNUTSON  
*Professional Association*  
860 Blue Gentian Road, Suite 290  
Eagan, Minnesota 55121  
Telephone: 651-452-5000  
AMP



**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

The East  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 29, Township 113, Range 21, according to the United States Government Survey Thereof and situate in Scott County, Minnesota.



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Monthly Public Works Report – August 2018
<b>MEETING DATE:</b>	September 13, 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 August.

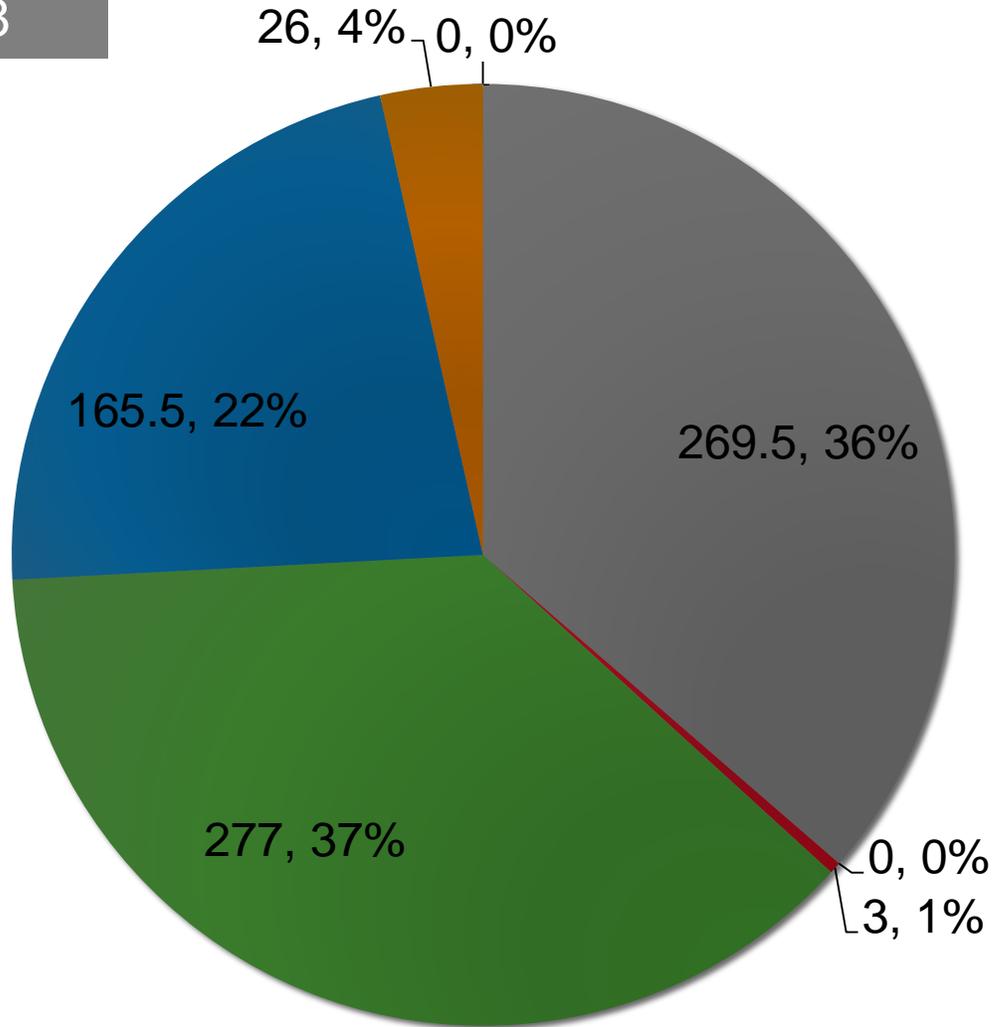
## **DISCUSSION:**

- As previously reported, as part of the annual maintenance of the City's sewer system, Staff cleaned and inspected all of the lift stations. During the inspections, Staff identified some issues with the pumps and associated parts at the Carter lift station. The pumps in that station are the original pumps and are roughly 20 years old and are nearing the end of their lifespan. Staff determined that the best option would be to replace the old pumps. Quality Flow will be replacing the pumps at the Carter lift station sometime next month.
- Staff will continue main line sewer jetting as time permits throughout the season.
- The Department borrowed an asphalt mill from the City of Savage. Staff was able to mill out some bumps, potholes and other damaged areas. All of this prep work had to be completed before any patching could occur. Staff patched all of the areas the following day.
- Staff installed the nets on all of the soccer goals at the school. Staff will continue to stripe all of the soccer fields as needed throughout the season.
- Staff has started to mount the snow plow equipment from the old loader to the new loader. This project should be completed sometime in September.
- Staff continued to spray weeds throughout the community.
- Water Conservation Services was hired to complete a water system survey to see if there are any leaks throughout the water system. There were no leaks that were identified. The same survey was completed in 2013 and there were 5-6 leaks that had to be repaired.
- As part of the regional safety group made up of Elko New Market, Lakeville, and Farmington, Staff attended Blood borne Pathogens, Hearing Conservation, and PPE 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.
- There were two fire hydrants on Main St that were out of service and in need of repair. Staff was able to hydro-excavate around one of the hydrants enough with the vac truck to place a trench box in the ground. Trench boxes are typically used during these types of repairs as you are usually working 8-10 feet below the surface and the soils are not stable. Staff rented the trench box and safely repaired the bottom of the broken hydrant. Krueger Excavating was hired to replace the other hydrant and gate valve as they were not able to be repaired.
- Public Works Staff assisted with the community picnic.
- 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.
- 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.
- Superintendent Schweich attended Responsible Suspicion Training.

# PUBLIC WORKS Combined Time By Department

August 2018

Total Hours:  
741.00



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

# Photo Album

COREY SCHWEICH

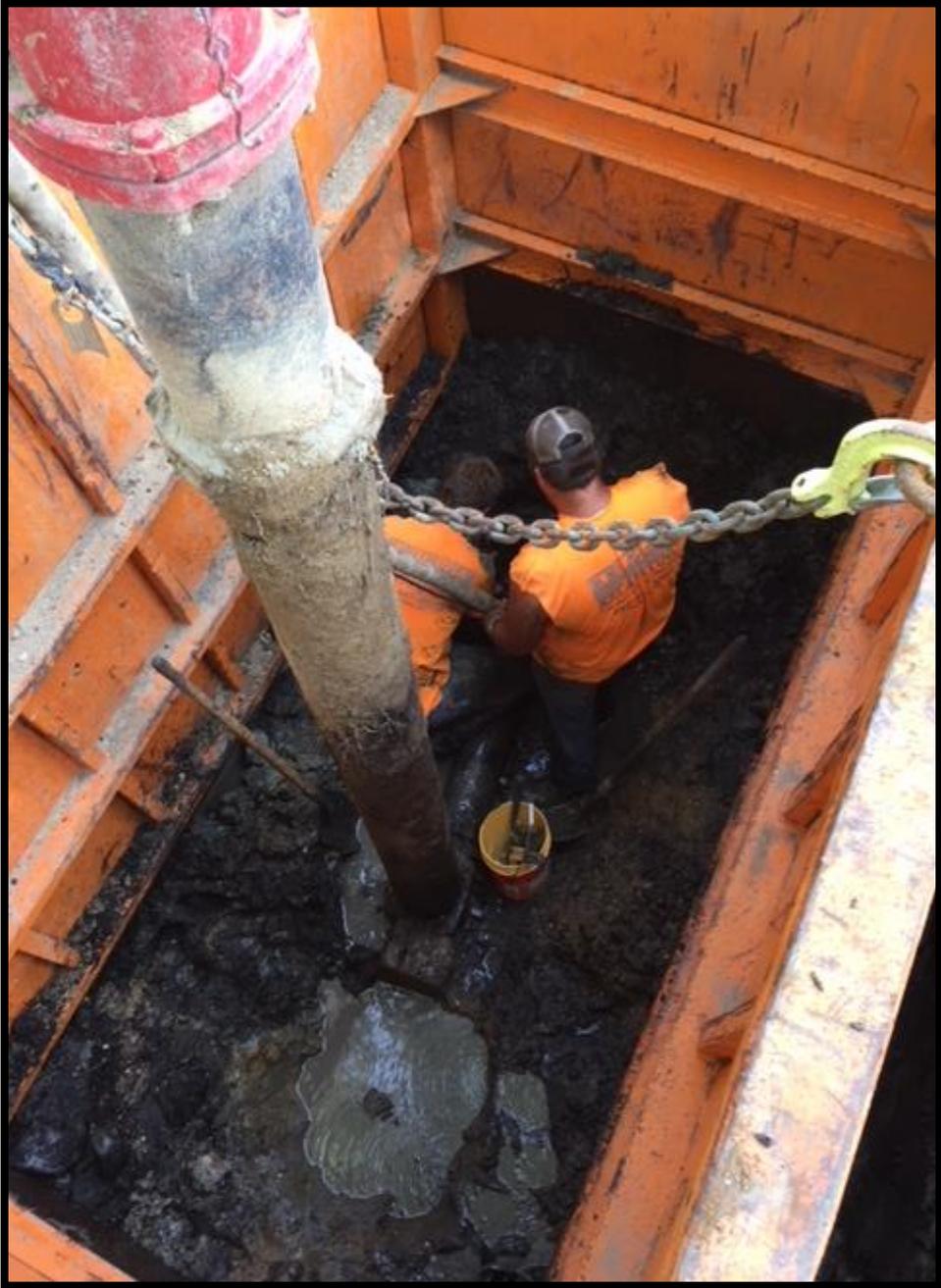
PUBLIC WORKS SUPERINTENDENT













# STAFF MEMORANDUM

**SUBJECT:** Monthly Police Activity – August 2018  
**MEETING DATE:** September 13, 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:**

August 7<sup>th</sup> – Staff participated in the annual Night to Unite activities. Officers attended **11** registered parties throughout the city. Kick off for the night started at Wagner Park with a park dedication for the skate park. See photos.

August 10<sup>th</sup> – Officer Eve Rudolph participated in Emergency Medical Responder refresher training, a requirement to be recertified every two years.

August 11<sup>th</sup> – The Police Department with sponsorship from the Elko New Market Area Chamber of Commerce hosted a CPR/AED instruction class for residents. **16** residents were certified in CPR and were provided instruction on the use of an AED. Northfield Hospital Staff & Paramedics provided the instruction.

August 11<sup>th</sup> – Chief Steve Mortenson participated in “Law Enforcement Appreciation” event held in the City of Lonsdale for their city celebration. The Lonsdale Chamber of Commerce invited area law enforcement agencies to attend to display a department squad car and visited with attendees. See photograph.

August 11<sup>th</sup> – Officer John Machaby assisted the “Paws & Claws” motorcycle rally with traffic control while they made one of their stops at Firehouse Grille. Officer Machaby provided traffic control for a large group of motorcycles making their entrance & exit manageable from the business.

August 15<sup>th</sup> – Officers Josh Gareis & John Machaby participated in Emergency Medical Responder refresher training, a requirement to be recertified every two years.

August 23<sup>rd</sup> – Chief Steve Mortenson visited a day care provider. He spoke to children about general safety, handed out stickers and provided a tour of a police squad. See photo.

August 30<sup>th</sup> – Officer Josh Gareis visited a day care provider. He spoke to children about general safety, handed out stickers and provided a tour of a police squad. See photo.

As part of the Emergency Medical Responder recertification training this year, staff was provided training on how to administer a dose of Naxolone (Narcan) to a suspected victim of an Opioid overdose. Staff is now carrying this medication daily on their patrol shifts as part of the medical equipment & supplies used as an Emergency Medical Responder.

Attachments:

- Photographs

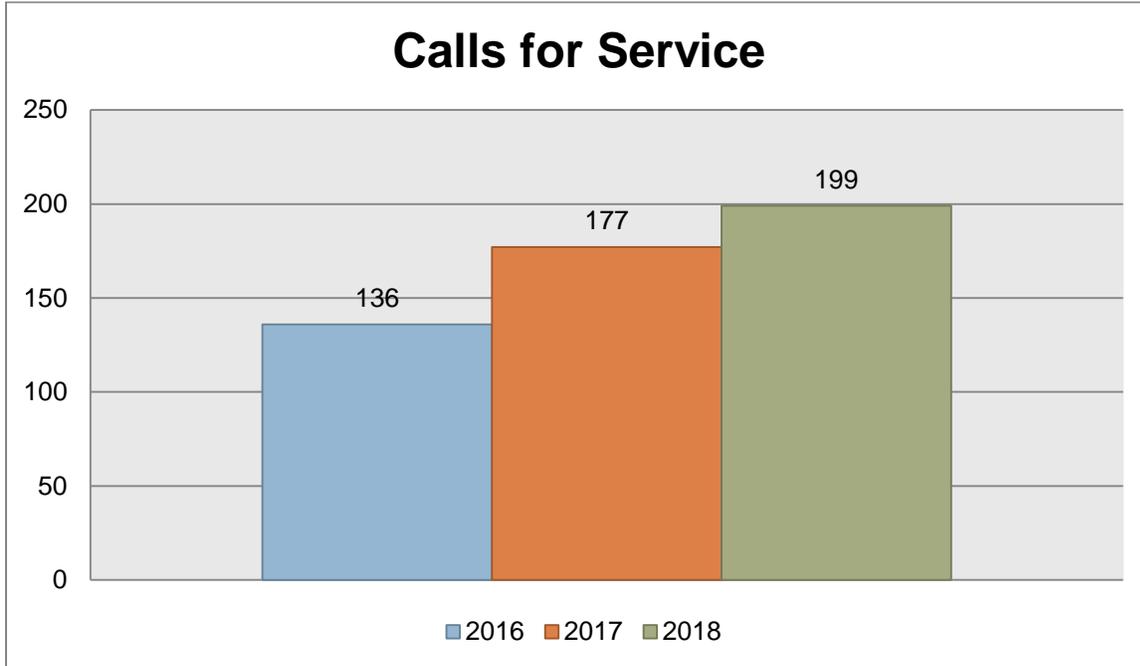
## STATISTICAL INFORMATION – AUGUST 2018

### Types of calls officers responded to:

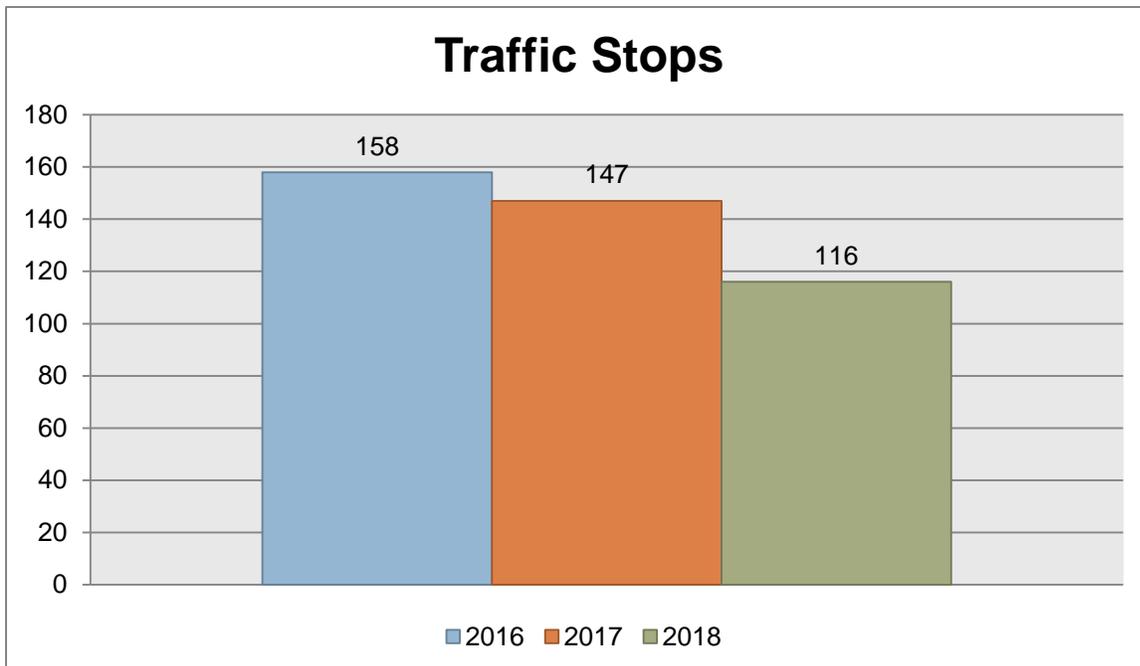
- 1 Juvenile Underage Consumption & 4 Juvenile Curfew Violations (Officers responded to a Juvenile Nuisance Complaint in the area of Little Windrose Park. Juveniles fled into a nearby wooded area but were located by officers and cited for curfew violations. One juvenile female was located at a nearby residence. She had consumed alcoholic beverages and was cited for Underage Consumption and Curfew Violation.)
- 1 Warrant Arrest (an adult male was arrested for a Dakota County misdemeanor warrant as a result of a traffic stop for speed.)
- 2 Drugs (As a result of a traffic stop, speeding, an adult male was cited for small amount of marijuana and possession of drug paraphernalia. In another incident, while searching the area for a possible suicidal male, officer observed an open garage door at a residence. While shining the flashlight into the garage looking for the suicidal person, the officer observed several marijuana pipes and a small bag of marijuana sitting on a coffee table. Items were confiscated. The location is rental property so the landlord was notified of the incident.)
- 7 Traffic Complaints (Officers respond to calls by citizens of erratic driving by motorists.)
- 4 Mental Health (officers responded to mental health calls and in three of the incidents, the person was placed on a Health & Safety Hold. Two incidents involved juveniles.)
- 1 Domestic (Verbal only, no assault.)
- 1 Disturbances
- 4 Medicals
- 4 Fraud
- 18 Ordinance Violations (Includes parking, junk & debris and other code enforcement.)
- 5 Alarms (All false alarms.)
- 4 Vandalism
- 10 Noise/Nuisance complaints
- 1 Motor vehicle crash
- 4 Hit & Run motor vehicle crash
- 22 Suspicion (Includes: Suspicious activity, vehicles and people.)

A total of 1 person, an adult male was arrested and transported to the Scott County Jail in August.

Calls for Service:

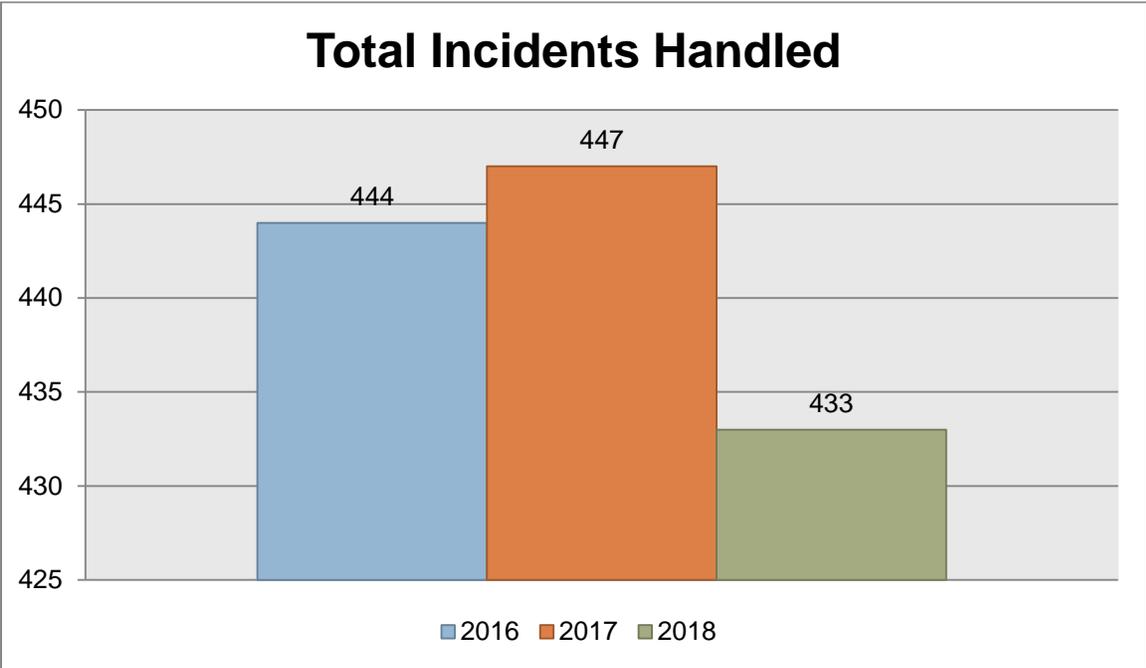


Total Traffic Stops:



**116** traffic stops were conducted in August 2018. **88** warnings issued and **28** citations issued for speed, stop sign violation, no proof of insurance/no insurance, no seat belt use, and driving after suspension.

Total Incidents Handled:



# **PHOTO ALBUM**

## **August 2018**

**STEVE MORTENSON**  
**CHIEF OF POLICE**



Night to Unite



Night to Unite



Night to Unite



Lonsdale Community Days



Day Care Visit – Jean Way



Day Care Visit – Ponds Way

**MINUTES**  
**CITY OF ELKO NEW MARKET**  
**PLANNING COMMISSION MEETING**  
**August 28, 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, Kruckman, Smith, and Humphrey

Members absent and excused: Vetter and Ex-officio member Anderson

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 Thompson and seconded by Kruckman to approve the agenda with an amendment to the General Business items A and B, reversing the order of items. Vote for: Thompson, Kruckman, Smith and Humphrey. Against: None. Abstained: None. Motion carried: (4-0).

**4. PUBLIC COMMENT**

There were no public comments.

**5. ANNOUNCEMENTS**

**A. Introduction of Planning Commissioner Thomas Humphrey**

Commissioner Humphrey introduced himself and provided a background for the Commission. All commissioners and staff also provided introductions for Mr. Humphrey.

**6. APPROVAL OF MINUTES**

A motion was made by Smith and seconded by Kruckman to approve the minutes of the June 26, 2018 Planning Commission meeting as written. Vote for: Thompson, Kruckman, Smith and Humphrey. Against: None. Abstained: None. Motion carried: (4-0).

**7. PUBLIC HEARINGS**

**A. None**

**8. GENERAL BUSINESS**

## **A. Office Use in B1 Neighborhood Business District**

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated August 28, 2018 regarding “B1 Zoning District - Uses”.

Christianson reported that in 2017 the property where the Elko New Market Retail Center is located was rezoned from PUD to B1, Neighborhood Business District. The purpose of the B1 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”.

Christianson stated that the owner of the retail center had recently contacted city hall regarding proposed office uses in the building, as he has received inquiries from real estate professional, investment firms, attorneys, and the like, who are interested in establishing office space within the building. Office use is not currently listed as a permitted use in the B1 zoning district. “Professional and Commercial (leased) Offices” are listed as a conditional use, subject to certain conditions.

Christianson noted that staff disagrees with office uses being required to obtain a conditional use permit in the B1 zoning district, and further stated that any vibrant commercial district includes a mix of uses that support and complement each other. She added there is currently an application fee of \$400, a required escrow of \$1,000, and approximately eight-week processing period for a conditional use permit.

The Commission discussed, and agreed, that the uses currently listed in the B1 Neighborhood Business District as permitted and conditional uses should be simplified. The Commission directed staff to review the current list of permitted and conditional uses and bring back a draft amendment that would simplify uses into Retail, Service, and Office type uses, etc. rather than the currently detailed list of uses.

## **B. Residential Lot Size Requirements**

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated August 28, 2018 regarding “Residential Lot Size Requirements”.

Christianson explained that the Commission had begun the discussion regarding the topic of minimum residential lot size requirements in March of 2018 and the topic was brought to the Planning Commission’s attention because staff has repeatedly received feedback from residential developers that the market is demanding smaller lots. Because of Elko New Market’s larger minimum lot size requirement, the City is commonly seeing developer’s asking to develop their properties using PUD zoning rather than utilizing the standard R-1 zoning district requirements. She reviewed specific feedback heard from the Commission regarding the topic at the March 2018 meeting, and noted that there was not a consensus regarding reducing minimum lot size requirements and that there seemed to be three commissioners in support of reducing the minimum lot size requirement and two opposed.

Christianson noted that further research of other community's codes and the Elko New Market code had been completed and the research had been included in the Planning Commission packets. Research of other communities included Apple Valley, Belle Plaine, Burnsville, Eagan, Farmington, Jordan, Lakeville, Lonsdale, New Prague, Prior Lake, Savage and Shakopee.

The City of Elko New Market standards for the existing R1 and R2 districts were reviewed. It was noted and also depicted on a map, that the R2 district has been preserved for existing smaller lot development in an older area of town, while residential developers were directed to the R1 district standards for new residential development (9,000 sq ft lots and 85' lot widths).

Staff noted that in a review of other community's codes such as Farmington and Lakeville, and in speaking with their staff, some cities allow a developer to request from a variety of residential zoning districts. Christianson suggested that, as an alternative to reducing the minimum lot size standards for the R1 zoning district, perhaps a developer could have the option of applying for either R1 or R2 zoning for their proposed single family residential subdivision. The Planning Commission could guide R2 zoning (smaller lots) closer to transportation corridors, higher density housing or commercial areas, while the Commission could support R1 (larger lot) zoning in other areas. This would give developers some options for smaller lot sizes in certain locations without the need to apply for PUD zoning. It was agreed that PUD zoning has been used most recently primarily as a mechanism to allow smaller lot sizes than allowed in the R1 district.

The estimated cost to construct curb/gutter, street, sanitary sewer and water in front of a residential lot was reviewed, and costs were compared between varying lot sizes/widths (ranging from 60' in width to 85' in width). Also compared was the potential difference in the number of lots that could be created based on the varying lot widths. City Engineer Revering stated that the potential difference in costs and potential revenues could easily equate to a project being economically viable or not.

The Commission held significant discussion on the topic. It was suggested that, should the Commission support a developer's flexibility to apply for either R1 or R2 zoning, changes to the minimum standards in the R2 district be made and that clarifying language be added to both the Comprehensive Land Use Plan and the R1 & R2 district "purpose" to further clarify where the City would support the use of such zoning districts. It was further suggested that the R2 district standards be amended to include a minimum lot size of 8,400 square feet and a 70' minimum lot width.

- Chairman Thompson stated that smaller lot sizes help to avoid urban sprawl and make homes more affordable.
- Commissioner Kruckman stated concern that many ramblers do not fit on the smaller lots and that she supports larger lot sizes.
- City Engineer Revering stated that there has been paradigm shifts over the last hundred years and that there is currently a paradigm shift to allow smaller lots.
- Commissioner Humphrey stated that, with changing the R2 district standards, it allowed for the right lot size options.

- Commissioner Smith stated that he supported the idea that a developer could apply for R1 or R2 zoning and that the use of PUD zoning would likely be minimized.
- Chairman Thompson stated that PUD zoning can greatly increase the cost of home construction by requiring improved home standards such as brick/stone, for example.

After further discussion, the Commission directed staff draft 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.

## 9. MISCELLANEOUS

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

Community Development Specialist Christianson made reference to her memorandum dated August 16, 2018 (included in the Planning Commission meeting packet) which provided updates on various City projects.

### B. Vacant Lot Inventory

Community Development Specialist Christianson made reference to her memorandum date July 26, 2018 regarding the 2018 Vacant Lot Inventory for Residential, Commercial and Industrial lots.

## 10. ADJOURNMENT

A motion was made by Thompson and seconded by Smith to adjourn the meeting at 8:37 p.m. Vote for: Thompson, Kruckman, Smith and Humphrey. Against: None. Abstained: None. Motion carried: (4-0).

Submitted by:



Renee Christianson  
Community Development Specialist

## ENM Parks Commission Update

### August 29, 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 we are coming into the busiest quarter of the year, so that difference is likely to be much less by the end of September!
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 taken a look at the options.
3. The SkatePark reopened on Monday, June 18th and will be open during regular park hours until cold weather. Based on Park Commission suggestions at the August 7<sup>th</sup> Meeting, I sent out a 2cd Draft of the proposed Rules and Regulations, so the Police Department can better monitor inappropriate behavior. I will have a Final Draft based on the input that I received on the Tuesday, September 11<sup>th</sup> Park Commission meeting for final approval.
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. Hard to believe that the Fall Community Ed booklets are out already! All the programs offered in Elko New Market by Lakeville Community Ed and New Prague Community Ed will soon on the City's website under the Events Tab...there are a total of 55 programs, so there's something to do for residents of any age! Thanks to Stephanie for getting them online and keeping the schedule updated!

6. As we discussed at the August 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 DNR and buying them through the National Archery in the Schools Program.
7. 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 next step is for their vendor to come in and obtain a fence permit for constructing the sign.
8. 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. I appreciated the Discussion on the criteria for the electric stove/oven at the August 7<sup>th</sup> Parks Commission Meeting and I will have options and a recommendation at the September 11<sup>th</sup> Parks Commission Meeting.
9. I received a very nice email from Soccer Coordinator, Melissa Sulich, on the assistance from Public Works and me on setting up for the Annual Soccer Jamboree on Saturday, August 18<sup>th</sup> – " I just wanted to say thank you for all of your help with getting the Soccer Jamboree set up...and making it a success!".
10. 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 after Labor Day to talk about the Winter programming.
11. Unfortunately, August has been a bad month for vandalism in City parks. I am working with Morton Buildings to repair the fire damage caused by burning the recycling bins so close to the shelter. They were by on Tuesday, August 28<sup>th</sup> to take a look and will be submitting a bid for those

- repairs, which I hope to have on the September 11<sup>th</sup> parks Commission meeting.
12. Also, the plaque for bench at Pete's Hill was damaged, so I'm having Lakeville Trophy make a new one to put on, as well as replacement. Again, this will be on the Parks Commission's September Agenda for payment.
  13. Eagle Scout candidate Hartman Sadusky constructed 6 benches and placed them along Pete's Hill trail on Saturday, July 14<sup>th</sup>...take a look when you get a chance! He also attended the August 9<sup>th</sup> City Council Meeting, so I was able to recognize him and say thank you for his work on behalf of the Parks Commission. It's always great to work with on these projects with the Eagle Scouts!
  14. 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.
  15. Also from the May meeting, I am following up on a request from resident Robert Satrom about the potential for a water fountain at Wagner Park. There was one there before, but it was vandalized several times, so was not replaced when the new Park Shelter went in. I am checking to see if one could be attached to the Shelter and on possible "stand alone" sites. I hope to have a further update at the September Meeting.
  16. 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. In a 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!

17. Disc Golf Course at Windrose Park. As you recall from the August 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 the redesign is drawn up, I will do a Facebook posting on it and set up an Open House to talk about it with interested residents.
18. There has no 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.
19. A reminder that the next Parks Commission Meeting will be on Tuesday, September 11th, 2018 at 4:00 PM at ENM City Hall. See you there!