

**1) CALL TO ORDER**

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

Members Present: Mayor Julius, Councilmembers: Timmerman, Berg, Novak and Styles

Members Absent: None

Also Present: City Administrator/Clerk Terry, Senior Planner Christianson via Zoom, City Attorney Poehler, Police Chief Bell, Planner Skluzacek, Planner Malecha, Finance Specialist Stewart, Deputy Clerk Jirak via Zoom, Phillip & Kelly Hoerter, Melissa Bokman Ermer, Robert Machacek, Mike Krautkremer, Wes Hoffman, James Reisinger, Anne Schindeldecker and Patrick Fischer

**2) PLEDGE OF ALLEGIANCE**

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

**3) ADOPT/APPROVE AGENDA**

**MOTION** by Councilmember Berg, second by Councilmember Novak to approve the agenda.  
**APIF, MOTION CARRIED**

**4) PRESENTATION, PROCLAMATIONS AND ACKNOWLEDGEMENTS (PP&A)**

Watershed Plan Update – Melissa Bokman Ermer

Melissa Bokman Ermer from Scott Watershed Management Organization provided a brief presentation regarding the Scott Watershed Management Plan Update. Bokman Ermer stated that per statute they are required to update the Watershed Management Plan every ten years with the current plan expiring December 6, 2026. Bokman Ermer continued that typically it takes 18-24 months to complete the Watershed Management Plan. She further continued that the organization is seeking public input for Phase One with relevant feedback on public concerns proposed to be included in the next generation of the Watershed Management Plan and provided various ways the public can participate.

Audit for the Financial Year Ending December 31, 2023

The audit was presented after General Business Discussions.

**5) PUBLIC COMMENT**

None.

**6) CONSENT AGENDA**

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

- a. Approve June 27, 2024 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Approve Resolution 24-50 Approving Plans and Specifications and Authorizing Ad for Bids for Sanitary Sewer Lift Station

d. Adopt Resolution 24-51 Adopting Independent Auditors' Report for the City of Elko New Market

**APIF, MOTION CARRIED**

**7) PUBLIC HEARINGS**

Vacation of Drainage and Utility Easement

Planner Skluzacek provided a brief overview of the application for vacation on a portion of a drainage and utility easement located on Lot 11 Block 3, Pete's Hill.

Mayor Julius opened the Public Hearing at 6:06 pm.

No comments were received during the Public Hearing.

Mayor Julius closed the Public Hearing at 6:06pm.

**MOTION** by Councilmember Timmerman, second by Councilmember Novak to approve Resolution 24-49 Vacating Drainage and Utility Easement Upon Petition of Majority of Abutting Landowners (Pete's Hill)

**APIF, MOTION CARRIED**

**8) GENERAL BUSINESS**

Concept Plan Review of Proposed Residential Development (FKS Pheasant Hills)

Senior Planner Christianson stated that Mr. Robert Machacek has submitted a Concept Plan Review for the property located in the southwest portion of the City. Christianson explained that the concept plan contains 89 single family residential lots on 44.3 acres and was reviewed by the Planning Commission at the May 28, 2024 Meeting. Christenson presented the background, location of property, neighborhood conditions, Comprehensive Plan, Zoning, Zoning Amendment Consideration, Lot Size/Width/Setback & Height Requirements, Utilities, Wetlands/Floodplain/DNR Protected Waters, Transportation/Access, Sidewalks & Trails, Parks Related Comments, Miscellaneous Items including Traffic and Premature Development, Rezoning, Additional Comments, Planning Commission Review and Additional Notes.

Staff sought Council feedback regarding the following items:

- 1) Does the City Council support the concept plan as depicted, subject to comments and recommendations of the Planning Commission as noted in the meeting minutes and redlined plans?
- 2) Does the City Council support the Planning Commission recommendation regarding lot sizes and standards meeting the requirements of the R1 zoning district?

Christianson further explained to the Council that the Met Council would not approve the City's Sanitary Sewer Extension Permit for anything less than 2.5 units per net acre for this property.

After Council discussion, Councilmembers supported all of the Planning Commissioners recommendations, recommended a sidewalk be added to Harvest Drive from Webster Street

to Cedric Lane due to the increase in traffic, and recommended that lots meet at least 2.5 units per acre.

#### Hours of Operation for Construction and Grading Activities

Planner Malecha explained to Council the information regarding the hours of operation for construction and grading activities to amend City Code Titles 5-5-2 and 11-11-8 to provide all relevant hours of operation information within one section of code, Title 5-5-2. Malecha's presentation included the background, discussion from the Planning Commission recommendations, discussion from the City Council's recommendations and the results of these discussions for recommendations to the City Code.

Council discussion included a consideration to placing a limit on the discretionary ability for the City Administrator to alter these times in unique situations. The Council agreed that the proposed language was adequate. The City Administrator noted that in practice, the Council would be advised in a situation that was likely to be controversial. The Council further clarified that Public Works emergency projects and road construction projects on City Streets are exempt from this ordinance and noise created by equipment/tools not listed in the ordinance are still allowed from 7:00 am to 10:00 pm.

**MOTION** by Councilmember Timmerman, second by Councilmember Novak to approve Ordinance No. 298 Amending Construction and Grading Hours of Operation.

**APIF, MOTION CARRIED**

#### Supplemental Compensation Study Information

City Administrator/Clerk Terry presented the Supplemental Compensation Study Information to the Council. The presentation included the purpose, the background, the findings, the direction from Council, the recommendations of Staff and the summary of the Supplemental Study. Terry explained the findings from the Study completed by Staff for the Police Department, Public Works and what the current City Policy is for Years to Max Step, Holiday Pay, Overtime Calculation, Call Back, Shift Differential, Longevity Pay, Court Time and Shift Extension.

Staff sought Council feedback on pursuing any changes to our current policies. After Council discussion, Council directed Staff to make recommendations to be at or slightly better than the market for the supplemental items and bring recommendations back to Council for further discussion.

City Administrator/Clerk Terry summarized what Staff's recommendations were to include, based on the market:

- Year to max step – go to 6 years for police; stay with 7 years for rest of employees
- Holiday Pay – 1.5 times base rate for all employees
- Overtime Calculation – All paid time off would be included as hours worked for calculating overtime for all employees.
- Call Back – Police and Public Works will be at 3 hours at 1.5 base pay for call back.
- Shift Differential – No market for shift differential.

- Longevity Pay – no recommendation.
- Court Time – Provide Police Department with 3 hours at 1.5 base pay.
- Shift Extension – No market for Shift Extension, the City’s current policy will be deleted.

Council discussed longevity pay and Staff was directed to calculate cost estimates for implementation of the following - Police Department would reduce longevity steps by one year for Police Officers and provide longevity steps at the current steps provided to Police Officer for other employees.

Staff will bring back estimates and scenarios for all employees regarding longevity pay to the Council for discussion and after clear direction on longevity pay from the Council, Staff will bring back a package for the Council to consider at a future City Council Meeting. Staff will work with the Public Works Union on updating their contract to reflect these changes.

City Engineer Revering left the City Council Business Meeting at 7:15 pm.

**PRESENTATION, PROCLAMATIONS AND ACKNOWLEDGEMENTS (PP&A)**

Audit for the Financial Year Ending December 31, 2023

Andy Grice from BerganKDV presented the Independent Auditor’s Report of the fiscal year ending December 31, 2023 for the City of Elko New Market to the City Council. The audit resulted in an unmodified opinion which is the best opinion an auditor can offer and provides assurance that the financial statements are fairly presented in all material respects. Grice provided an overview of the Communications Letter and Basic Financial Statements.

**9) REPORTS**

a. Administration

Municipal Cannabis Update

Planner Malecha presented to Council an update to Municipal Cannabis Retail Sales. Malecha provided the background, discussions on licensing, insurance, banking, staffing, potential impacts on Federal Funding, location and general feasibility and budget impact to the City. Staff sought Council feedback and direction on whether or not to proceed with the next steps in pursuing a municipal cannabis retail location in Elko New Market and if so, did the Council want to move forward with a feasibility study. After Council discussion, Council directed Staff to put Municipal Cannabis Retail Sales on hold and not actively pursue at this time.

Councilmember Berg left the City Council Business Meeting at 7:55 pm.

Interim Cannabis Ordinance

Planner Malecha presented to Council an update on Interim Cannabis Ordinance. Malecha explained that in 2024, MN Legislators amended laws to allow early cannabis plant cultivation. Local governments can adopt interim ordinances after a public hearing to safeguard planning processes and citizen welfare. Staff sought Council consideration in adopting an interim ordinance regarding the licensure of cannabis related businesses in Elko New Market so City Staff can have more time to discuss with City Council what it wants for various aspects of rulemaking. After Council discussion and information



regarding cultivation of cannabis from City Attorney Poehler, the majority of Councilmembers were not interested in pursuing a moratorium ordinance at this time.

- b. Public Works  
June 2024 Monthly Report included in packet.
- c. Police Department  
June 2024 Monthly Report included in packet.

Chief Bell updated Council that Officer Barry has completed Field Training. Bell also expressed the officer's appreciation in having the Council look into the Supplemental Compensation Study.

- d. Engineering  
No report.
- e. Community Development  
No report.
- f. Parks Department  
June 2024 Monthly Update included in packet.

Planner Skluzacek commended the Fire Rescue Days Committee for a successful Fire Rescue Days and noted that the City received more park dedication monies from Park I35 than initially anticipated.

- g. Community & Civic Events Committee (CCEC).  
No report.
- h. Other Committee and Board Reports  
Scott County Association for Leadership and Efficiency (SCALE)  
No report.

Executive Committee  
No report.

Service Delivery Committee  
No report.

I35 Solutions Alliance Councilmember  
No report.

**10) DISCUSSION BY COUNCIL**

Councilmember Timmerman was approached by Kyle Bergstrom regarding holding his wedding at Wagner Park and renting out the fields for the ceremony and reception. After Council discussion, Council asked to place this item on the July 25, 2024 meeting under General Business for Council to review the policy and discuss.

Councilmember Styles questioned if there were any updates for a traffic study to be conducted to the intersections of County Road 91 and Aaron Drive. City Administrator/Clerk Terry provided a brief update.

**11) ADJOURNMENT**

**MOTION** by Councilmember Novak, second by Councilmember Styles to adjourn the meeting at 8:14 p.m.

Respectfully submitted by

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Lynda Jirak, Deputy Clerk