

**CITY OF ELKO NEW MARKET
CITY COUNCIL AGENDA
ELKO NEW MARKET CITY HALL
601 MAIN STREET
ELKO NEW MARKET, MINNESOTA 55054
FEBRUARY 8, 2024
7:00 PM**

BUSINESS MEETING

The City of Elko New Market provides for viewing and participation in the meeting through Zoom.
<https://us02web.zoom.us/j/89240260716>

1. Call to Order

2. Pledge of Allegiance

3. Adopt/Approve Agenda

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

- a. State of the District Presentation– Lakeville Area Schools Superintendent

5. Public Comment

Individuals may address the Council about any item not contained on the regular agenda, but related to the governance of the City of Elko New Market. In providing this limited public forum, the City of Elko New Market expects respectful participation. We encourage all speakers to be courteous in their language and deportment, and to confine their remarks to those facts that are germane and relevant to the question or matter under discussion and to Elko New Market governance issues. Please remember that this is a public business meeting, available for viewing on television and the internet by members of the public, including children. Consistent with FCC rules, obscenity, and profane or indecent language will not be tolerated by the presiding officer. 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 Minutes of the January 25, 2024 City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Adopt Resolution 24-09 Appointing Election Judges for the 2024 Presidential Primary, Primary and General Elections
- d. Approve Ninja Anywhere Ninja Anywhere Event Contract
- e. Adopt Ordinance No. 285 Amending Title 11 of the City of Elko New Market City Code Concerning Revisions to the Zoning Ordinance
- f. Xcel Energy Electric Franchise Ordinance
 - i. Adopt Ordinance No. 286 Ordinance Granting To Northern States Power Company, A Minnesota Corporation, D/B/A Xcel Energy, Its Successors And Assigns, Permission To Construct, Operate, Repair And Maintain In The City Of Elko New Market, Minnesota,

An Electric Distribution System And Transmission Lines, Including Necessary Poles, Lines, Fixtures And Appurtenances, For The Furnishing Of Electric Energy To The City And Its Inhabitants And Others And Transmitting Electric Energy Into And Through The City And To Use The Public Ways And Public Grounds Of The City For Such Purposes

- ii. Adopt Summary Ordinance No.287 An Ordinance Granting Northern States Power Company, A Minnesota Corporation, D/B/A Xcel Energy An Electric Franchise
- g. Adopt Resolution 24-10 Establishing Parking Restrictions On Xerxes Avenue From Scott County CSAH 2 To Beard Avenue
- h. Provision of Equipment to Nerstrand Fire Department

7. Public Hearings

8. General Business

9. Reports

- a. Administration
 - i. Council Representative on Commissioner Interview Committee
- b. Public Works
 - i. Monthly Report – January 2024
- c. Police Department
 - i. Monthly Report – January 2024
- d. Engineering
- e. Community Development
- f. Parks Department
 - i. Draft Parks & Recreation Commission Minutes of January10, 2024 Meeting
 - ii. Monthly Parks & Recreation Update – January 2024
- g. Community & Civic Events Committee (CCEC)
- h. Other Committee and Board Reports
 - i. Scott County Association for Leadership and Efficiency (SCALE)
 - Executive Committee
 - Service Delivery Committee
 - ii. I35 Solutions Alliance

10. Discussion by Council

- a. Remodel of Old Police Department Building

11. Adjournment



STAFF MEMORANDUM

SUBJECT:	Presentation - Lakeville Area Schools
MEETING DATE:	February 8, 2024
PREPARED BY:	Thomas Terry, City Administrator
REQUESTED ACTION:	Informational

COMMUNITY VISION:

- Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
- The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
- The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
- The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
- The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
- The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:

- Advance the "shovel ready" status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.
- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
- Performance Measurement - The City of Elko New Market will develop and utilize methods for measuring performance to evaluate progress and establish accountability for improving public services.
- Professionalism - The City of Elko New Market will provide local government that is characterized by high technical and ethical standards. The City will conduct business and present itself in a manner that promotes public confidence. The City will endeavor to recruit, train, and develop cohesive, high quality professional staff that will excel in providing public services.

BACKGROUND:

Doug Van Zyl, Lakeville Area Schools Superintendent, will be providing the Council a presentation on the Lakeville Area Schools district.

1) CALL TO ORDER

The meeting was called to order by Mayor Julius at 8:00 am

Members Present: Councilmembers Timmerman, Berg and Novak

Members Absent: Councilmember Styles

Also Present: City Administrator/Clerk Terry, Senior Planner Christianson, Police Chief Juell, Attorney Amy Schmidt, Deputy Clerk Jirak, City Engineer Revering via Zoom 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 Timmerman, second by Councilmember Berg to approve the agenda.

APIF, MOTION CARRIED

4) CONSENT AGENDA

MOTION by Councilmember Berg, second by Councilmember Timmerman to approve the Consent Agenda.

- a. Approve Minutes of the January 11, 2024 City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Old New Market Reconstruction Project
 - i. Approve Resolution 24-07 Approving Plans and Specifications and Authorize for Bids
- d. Approve Submittal of 2024 Pay Equity Report to State of Minnesota Office of Management and Budget
- e. Adopt Resolution 24-08 Establishing 2024 Absentee Ballot Board

APIF, MOTION CARRIED

5) GENERAL BUSINESS

2024 Pavement Rehabilitation Project

City Engineer Revering provided an overview of the project and sought direction from the City Council regarding the use of State Aid funds or use of local funds for the segment of road on Dakota Avenue south of CSAH 2 in the 2024 Pavement Rehabilitation Project. After a brief Council discussion, Council agreed to have the bid documents reflect use of local funds on the segment of Dakota Avenue south of CSAH 2.

MOTION by Councilmember Timmerman, second by Councilmember Novak to approve Resolution 24-06 approving plans and specifications with the segment of Dakota Avenue south of CSAH 2 to be locally funded and subject to approval by Minnesota Department of Transportation State Aid Office.

APIF, MOTION CARRIED

Consider Moving February 8, 2024 City Council Meeting to 7:00 pm

MOTION by Councilmember Timmerman, second by Councilmember Berg to approve moving February 8, 2024 City Council Meeting to 7:00 pm.

6) REPORTS

a) Administration

Discussion Planning & Park Commissioner Appointments

City Administrator/Clerk Terry informed the Council that the current Planning and Parks Commissioners that have terms expiring this year intend to seek reappointment for their respective positions. Staff is seeking Council direction to reappoint the Commissioners or to post for the positions. After Council discussion, Council directed Staff to post for the Commissioners positions and invite Commissioners to apply for reappointment.

b) Community & Civic Events Committee (CCEC)

Draft Community & Civic Events Committee Minutes of the January 16, 2024 Meeting included in the packet.

7) ADJOURNMENT

MOTION by Councilmember Timmerman, second by Councilmember Novak to adjourn the meeting at 8:09 am.

APIF, MOTION CARRIED.

Respectfully submitted by

Lynda Jirak, Deputy Clerk



STAFF MEMORANDUM

SUBJECT:	Presentation of Elko New Market Claims and Electronic Transfer of Funds
MEETING DATE:	February 8, 2024
PREPARED BY:	Stephanie Fredrickson, Utility Billing/Office Technician
REQUESTED ACTION:	Approve Payment of Current Claims

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BACKGROUND:

Each City Council meeting the Utility Billing/Office Technician presents for approval the Elko New Market Claims and Electronic Transfer of Funds.

A detail listing of work performed is being provided below for invoices by Consultants of City of Elko New Market. The invoices below are included for payment on the attached Check Summary Register.

Bolton & Menk	<u>Amount</u>
• Wastewater General	\$301.11
• Stormwater General	\$1,318.46
• Water General	\$10,944.77
• Streets General	\$1,806.66
• Streets – Municipal State Aid	\$661.60
• Boulder Heights 4 th Addition	\$852.00
• Boulder Heights 5 th Addition	\$426.00
• The Preserve	\$697.11
• Park I-35 Industrial Park	\$213.00

• 2024 New Market Recon/CIP	\$40,643.00
• <u>2024 Pavement Rehab</u>	<u>\$5,434.35</u>
Total	\$63,298.06

BUDGET IMPACT:

Budgeted

Attachments:

- Check Summary Register

CITY OF ELKO/NEW MARKET

***Check Summary Register©
February 8, 2024**

Name	Check Date	Check Amt	
<u>AUTOPAY</u>			
9570e	MN DEPT OF REVENUE	2/1/2024	\$26.76 Vendor Liability
9571e	INTERNAL REVENUE SERVICE	2/1/2024	\$96.38 Vendor Liability
9572e	MN VALLEY ELECTRIC COMPANY	2/9/2024	\$206.00 268X Xerxes Water Tower
9573e	DAKOTA ELECTRIC ASSN	2/2/2024	\$153.06 Ptarmigan Drive Streetlights
9574e	PERA	2/2/2024	\$16,402.81 Vendor Liability
9575e	MN DEPT OF REVENUE	2/2/2024	\$3,750.66 Vendor Liability
9576e	INTERNAL REVENUE SERVICE	2/2/2024	\$16,213.74 Vendor Liability
9577e	MINNESOTA ENERGY RESOURCES	2/15/2024	\$357.39 26518 France Avenue
9578e	MINNESOTA ENERGY RESOURCES	2/15/2024	\$107.53 26518 France Avenue
9579e	MN VALLEY ELECTRIC COMPANY	2/9/2024	\$16.26 City of Elko Park, Elko
9580e	XCEL ENERGY	2/23/2024	\$747.56 Library - 100 J Roberts Way
9581e	MINNESOTA ENERGY RESOURCES	2/20/2024	\$25.91 408 Carter Street
9582e	MINNESOTA ENERGY RESOURCES	2/20/2024	\$25.91 359 James Parkway
9583e	MINNESOTA ENERGY RESOURCES	2/20/2024	\$228.59 110 J Roberts Way - Library
9584e	MINNESOTA ENERGY RESOURCES	2/20/2024	\$71.95 26518 France Avenue
9585e	MINNESOTA ENERGY RESOURCES	2/15/2024	\$998.43 PW Facility - Gas Utilities
9586e	MINNESOTA ENERGY RESOURCES	2/14/2024	\$672.04 25499 Natchez Ave - WTP
9587e	XCEL ENERGY	2/23/2024	\$86.39 730 Main Street - Streetlights
9588e	MINNESOTA ENERGY RESOURCES	2/20/2024	\$28.01 Main & Chowen
9589e	MINNESOTA ENERGY RESOURCES	2/15/2024	\$30.30 Glenborough & Chowen
9590e	XCEL ENERGY	2/23/2024	\$40.47 641 Main Street Lift Station
9591e	FIDELITY SECURITY LIFE INSURANCE	2/2/2024	\$100.65 EyeMed Vision Insurance
TOTAL			\$40,386.80
<u>PRE-PAID</u>			
45414	MN DEPT OF HEALTH	1/22/2024	\$32.00 Valek Water License Test
45415	MN CITY/COUNTY MGMT ASSN.	1/22/2024	\$499.00 2024 MCMA/APMP Membership Tom
45416	STOCKER, JOSEPH	1/22/2024	\$250.00 2024 Pants- Stocker
45417	SCOTT COUNTY ATTORNEY OFFICE	1/25/2024	\$306.63 Qtr 4 Fines- Oct 2023
45418	THOMPSON, JASON	1/25/2024	\$150.37 Thompson Uniform Pants 2024
45419	TENVOORDE FORD	1/29/2024	\$42,537.88 PD Squad #318 Purchase
45420	CRAIG RAPP, LLC	1/29/2024	\$300.00 Compass Peer Group- Tom & Brady
45421	JOSEPH FITTERER	1/31/2024	\$250.00 Fitterer Pants 2024
TOTAL			\$44,325.88
<u>CHECK REGISTER</u>			
45422	VOID	2/8/2024	\$0.00 VOID MISPRINT
45423	ANCHOR SOLAR INVESTMENTS, LLC.	2/8/2024	\$675.67 Solar Panel Lease Pmt
45424	BLACKFIRE CREATIVE, INC.	2/8/2024	\$100.00 PW - Fleet Maint & Equip
45425	BLUE NET, INC.	2/8/2024	\$2,624.50 Credit Memo - G3 Upgrades Billing Error
45426	BOLTON & MENK	2/8/2024	\$63,298.06 T15.100716 - Wastewater System Gen
45427	BOUND TREE MEDICAL, LLC	2/8/2024	\$57.80 FD - Medical Supplies
45428	BOYER TRUCKS	2/8/2024	\$671.00 PW - Fleet Maint & Equip
45429	CANON FINANCIAL SERVICES, INC.	2/8/2024	\$34.40 PD Copier - Rental Agmt
45430	CAVANAUGH, DEREK	2/8/2024	\$89.97 PW - Uniforms/Cavanaugh Pants Reimbursement
45431	CENTURY COLLEGE	2/8/2024	\$1,383.75 FD Training
45432	CULLIGAN BOTTLED WATER	2/8/2024	\$76.80 Bottled Water - Jan 2024
45433	EDAM	2/8/2024	\$545.00 2024 Annual Renewal - Tom Terry
45434	FAUL PSYCHOLOGICAL	2/8/2024	\$650.00 Pre-Employ Eval - Jeff Addabbo
45435	FLEET SERVICES &	2/8/2024	\$175.00 PW - Fleet Maint & Equip
45436	FLEETPRIDE	2/8/2024	\$164.39 PW - Fleet Maint & Equip
45437	FRONTLINE PLUS FIRE & RESCUE	2/8/2024	\$3,590.00 Annual Svc & Maint of Siren System
45438	ICMA MEMBERSHIP RENEWALS	2/8/2024	\$912.99 2024 Annual Renewal
45439	IDEAL ENERGIES SOLAR LEASING	2/8/2024	\$1,899.59 Solar Panel Lease-CH
45440	IN CONTROL, INC.	2/8/2024	\$4,668.30 Water Repairs
45441	INNOVATIVE OFFICE SOLUTIONS LL	2/8/2024	\$251.72 Office Supplies
45442	KJ WALK INC	2/8/2024	\$4,503.70 Refund Escrow Balance - Boulder Heights 4th
45443	MAMA-METRO AREA MGMT ASSN	2/8/2024	\$70.00 Luncheon 1/25/24 - Tom Terry
45444	MCKESSON MEDICAL - SURGICAL	2/8/2024	\$562.80 FD - Medical Expenses
45445	MENARDS - DUNDAS	2/8/2024	\$95.15 PW - Water Repairs
45446	METROPOLITAN COUNCIL	2/8/2024	\$26,470.54 Wastewater Svcs - Mar 2024
45447	METERING & TECH SOLUTIONS	2/8/2024	\$3,008.14 PW - Water Meters
45448	MN CRITTER GETTERS, INC.	2/8/2024	\$1,300.00 Monthly Animal Control
45449	MN OCCUPATIONAL HEALTH	2/8/2024	\$70.00 Fed Drug Screen - Charlie Chihos

CITY OF ELKO/NEW MARKET

02/02/24 3:19 PM

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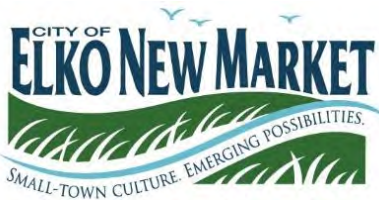
***Check Summary Register©**

February 8, 2024

	Name	Check Date	Check Amt	
45450	PRECISE MRM LLC	2/8/2024	\$40.00	PW - Fleet Maint & Equip
45451	SCOTT COUNTY TREASURER	2/8/2024	\$8,126.93	BISS Contribution 2024 Coop Agmt
45452	SCOTT COUNTY RECORDER	2/8/2024	\$46.00	Order Approving Annexation - Boulder Heights
45453	SHRED RIGHT	2/8/2024	\$17.73	Shredding
45454	STREICHER'S INC	2/8/2024	\$44.96	PD - Shotgun Sling Mount
45455	SUEL PRINTING COMPANY	2/8/2024	\$81.00	Legal Ads
45456	VOIP NETWORK	2/8/2024	\$496.62	VOIP Phones Monthly
45457	WERNER IMPLEMENT CO., INC.	2/8/2024	\$70.00	PW - Fleet Main & Equip
TOTAL			\$126,872.51	

DIRECT DEPOSIT

506352e	Bi-Weekly ACH	2/1/2024	\$53,849.67	
506354e	Bi-Weekly ACH	2/1/2024	\$414.25	
TOTAL			\$54,263.92	



STAFF MEMORANDUM

SUBJECT:	Appoint Election Judges for 2024 Elections
MEETING DATE:	February 8, 2024
PREPARED BY:	Lynda Jirak, Deputy Clerk
REQUESTED ACTION:	Adopt Resolution 24-09 Appointing Election Judges for the 2024 Presidential Primary, Primary and General Elections and Establishing Their Rates of Pay

COMMUNITY VISION:

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BACKGROUND:

With the Presidential Primary held on March 5, 2024, Primary Election held on August 13, 2024, and the General Election held on November 5, 2024, the City Council must appoint Election Judges and set their pay by resolution 25 days before elections.

DISCUSSION:

State law requires that the City Council adopt a resolution appointing Election Judges for the upcoming elections and establishing their rates of pay. While only the Presidential Primary Election Judges need to be appointed at the February 8th meeting, Staff recommends appointing judges for the Presidential Primary, Primary and General Elections at this time so that the appointments are completed in full, and all judges are able to complete their training. Attached please find a list of people who have agreed to serve in the upcoming Presidential Primary, on March 5, 2024, State Primary Election on August 13, 2024, and General Election on November 5, 2024. Per Minnesota Statute 204B.21, this list was compiled using names who have served in the past and those submitted by the political parties. The resolution allows Staff some flexibility to recruit more judges if needed.

The City Council must also establish the rates of pay for the judges. Per Minnesota Statute 204B.31, Election Judges shall receive at least Minnesota minimum wage for each hour spent carrying out their duties at the polling places and in attending training sessions as well as

mileage. The current IRS Mileage Rate is 67 cents per mile from January 1, 2024 through December 31, 2024.

Position	2024 Wage
Head Judge	\$20.00
Senior Judge	\$18.00
Election Judge	\$16.00
Student Judge	\$16.00

Staff is requesting that the Council approve those listed on Exhibit A attached, which lists the names of persons whose availability has been confirmed to serve as Election Judges. The resolution also provides for the Deputy Clerk to make additional appointments, as necessary.

Staff is recommending City Council adopt Resolution 24-09 Appointing Election Judges for the 2024 Presidential Primary, Primary and General Elections and set the rates of pay as noted above.

BUDGET IMPACT:

Election Judge pay has been budgeted in the 2024 Elections Budget. There will be no additional impact to the current budget.

ATTACHMENTS:

- Resolution 24-09 Appointing Election Judges for the 2024 Presidential Primary, Primary and General Elections
- Exhibit A

RESOLUTION 24-09

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

**RESOLUTION APPOINTING ELECTION JUDGES FOR THE 2024 PRESIDENTIAL
PRIMARY, PRIMARY AND GENERAL ELECTIONS AND ESTABLISHING THEIR
RATES OF PAY**

WHEREAS, the City Council is required by law to adopt a resolution appointing election judges for the 2024 Presidential Primary, Primary and General Elections and establishing the rates of pay; and

WHEREAS, Staff has provided the names of persons who are willing and qualified to serve in said capacity.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Elko New Market hereby appoint the following persons to serve as elections judges for the March 5, 2024 Presidential Primary, August 13, 2024 Primary and November 5, 2024 General Election as listed on the attached Exhibit A, with the rate of pay established as follows:

Position	2024 Wage
Head Judge	\$20.00
Senior Judge	\$18.00
Election Judge	\$16.00
Student Judge	\$16.00

BE IT FURTHER RESOLVED based upon the inability of a judge(s) to serve on election day or upon need for additional assistance, the Deputy Clerk shall be authorized to appoint/hire required number of persons. Only those persons duly qualified and duly trained to serve as an election judge may be selected to serve in this capacity.

APPROVED AND ADOPTED this 8th day of February, 2024.

CITY OF ELKO NEW MARKET

Joe Julius, Mayor

ATTEST:

Thomas Terry, City Administrator/Clerk

EXHIBIT A

The following are the names of persons who are willing and qualified to serve as Election Officials for the 2024 Presidential Primary, Primary and General Elections.

HEAD JUDGES

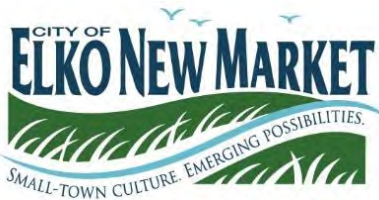
Herman (Chip) Halverson
Michael Sutton

SENIOR JUDGES

Herman Halverson
Michael Sutton

ELECTION JUDGES

Lori Clausen
Aliza Ameen
Linda Borgen
Darwin Hofer
Melissa Lenhardt
Tammy Gardner
Rick Martin
Ann Frailey
Linda Lucas
Richard Shurts
Glenn Wear
Sandra McMillan
Elizabeth Brandt



STAFF MEMORANDUM

SUBJECT:	Ninja Anywhere Event Contract
MEETING DATE:	February 8, 2024
PREPARED BY:	Lynda Jirak, Deputy Clerk
REQUESTED ACTION:	Approve Ninja Anywhere Event Contract

COMMUNITY VISION:

- Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
- The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
- The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
- The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
- The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
- The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:

- Advance the "shovel ready" status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.
- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
- Performance Measurement - The City of Elko New Market will develop and utilize methods for measuring performance to evaluate progress and establish accountability for improving public services.
- Professionalism - The City of Elko New Market will provide local government that is characterized by high technical and ethical standards. The City will conduct business and present itself in a manner that promotes public confidence. The City will endeavor to recruit, train, and develop cohesive, high quality professional staff that will excel in providing public services.

BACKGROUND:

At the October 26, 2023 City Council meeting, Council authorized funding for the Ninja Anywhere event at Fire Rescue Days (FRD) 2024 as requested from the FRD Subcommittee of the CCEC. Ninja Anywhere is a customized ninja fitness event for children. Ninja Anywhere provides a warped wall, ninja rings, trapeze bars, monkey bars, climbing rope, floating boards, a rock-climbing wall, a giant slide, an inflatable obstacle course and more to entertain children throughout the afternoon of FRD.

DISCUSSION:

The City Council is being asked to approve the Event Agreement with Ninja Anywhere.

BUDGET IMPACT:

Ninja Anywhere costs \$3700 for five hours of entertainment and requires three adult volunteers to help assist Ninja Anywhere staff the event. FRD Subcommittee will have volunteers available to assist Ninja Anywhere Staff. The cost of Ninja Anywhere will be budgeted from the CCEC FRD budget set by the Council.

ATTACHMENTS:

- Ninja Anywhere Agreement
- Ninja Anywhere Insurance Certificate



(612) 440-7866
 NinjaAnywhere.com
 2280 Terminal Rd. W
 Roseville, MN 55113

Ninja Anywhere Event Contract

The specific contract terms of this event contract ("Agreement") are as defined in the following table:

Contract Term	Term Definition
Contract Date	
Host	
Host Address	
Host Contact Name and Title	
Host Contact Phone	
Host Contact Email	
Event Date(s)	
Event Time(s)	
Event Location	
Host Fee (<i>fee charged to Host</i>)	
Deposit	
Sales Tax	
Unique Terms and Conditions	Unique terms and conditions are set forth in Appendix A (if any).
Purpose of Event	
Expected Number of Participants	
Age Range of Participants	
NA Event Coordinator and email	
Host Volunteers <i>The number of volunteers to be provided by Host</i>	
Event Staff <i>The number of event staff to be provided by Ninja Anywhere</i>	
Incident Weather Contingency Plan <i>Alternative location, e.g., gym or structure</i>	
Participant Fee (if any)	
Minimum Guaranteed Fee (if any)	

By signing below, you acknowledge the above specific contract terms and the attached Standard Terms and Conditions. This executed Agreement is effective as of the Contract Date written above.

Ninja Anywhere LLC

Accepted by Host (signature)

Elizabeth Kettler, Owner and CFO

Print Name and Title: _____



1. Parties

This binding Agreement is entered into as of the Contract Date, by and between Host and Ninja Anywhere LLC, a Minnesota limited liability company ("NA").

2. Event Details

NA will provide the following at the Event:

- i. Obstacles (Mobile Ninja rig, inflatables, balance course obstacles);
- ii. Obstacle set-up and tear-down; and
- iii. Overseeing and facilitating NA event by NA Event Staff with assistance from any Host Volunteers.

3. Payment Terms

The Host Fee, as applicable and any Sales Tax is due one (1) month before Event Date. Any Participant Fee will be charged to individual participants the day of the Event. The Deposit is required to reserve the selected Event Date. The Deposit is non-refundable, but may be transferable with two (2) week advance notice as provided in Section 4 below. Sales Tax will be charged unless a signed sales tax exempt form is provided to NA prior to payment. In the case that the total Participant Fees collected is less than the Minimum Guaranteed Fee (if any), Host agrees to pay NA any difference between the total Participant Fees collected and the Minimum Guaranteed Fee. Payment shall be made within ten (10) business days from receipt of an invoice from NA. The Host may request documentation supporting the total Participant Fees received by NA. Except as provided herein, any fees payable hereunder are exclusive of any applicable taxes and any applicable taxes will be payable by Host to NA in addition to fees payable hereunder. Bank fees for insufficient funds will result in additional charges, including but not exceeding all bank fees plus a \$30 processing fee. Interest at the maximum amount due under applicable law will accrue on all late payments. All collection fees, attorneys fees, court costs or expenses involved in the collection of amounts due from Host hereunder will be Host's responsibility. NA may

apply the Deposit to any amounts due under this Agreement. Host authorizes NA to charge Host's debit card or credit card on file with NA in an amount equal to all outstanding payments and fees due under this Agreement.

4. Cancellation and Rebooking

NA may cancel its obligations under this Agreement (e.g., participation at an Event) if Host fails to adhere to payment terms set forth herein or any other provision of this Agreement, and in such case, NA will retain the Host Fee. If Host is in compliance with the terms of this Agreement: (a) Host may reschedule the Event by providing written notice to NA more than two (2) weeks before the Event Date, subject to NA's availability and acceptance of a new proposed Event Date, in its sole discretion, or (b) Host may cancel an Event within two (2) weeks of the Event Date, but Host will forfeit fifty percent (50%) of the Host Fee. Except as specifically provided below, if Host reschedules an Event within two (2) weeks of the Event Date to a date acceptable to NA, fifty percent (50%) of the Host Fee will be applied towards future Event and the remainder will be retained by NA to compensate it for its damages and expenses associated with cancellation and rescheduling.

Host and NA may mutually agree to cancel or postpone the Event for circumstances beyond NA's or Host's reasonable control, such as inclement weather. In this case, the Host Fee will be transferable to a future event on a date acceptable to NA and Host. If NA cancels the Event for safety or other concerns in its discretion, except due to a breach of this Agreement by Host, any Host Fee will be returned to Host if rescheduling within a reasonable time period is not feasible. The return of the Host Fee will be the sole remedy of Host for any such cancellation hereunder.

5. Participant Waiver

All Event participants are required to complete an electronic NA waiver and follow NA safety rules and instruction. NA reserves the right to



deny Event access to any participant for any reason NA deems reasonable (including, but not limited to, if the participant is not following safety rules). NA shall not be held liable for participants that access the Event without following the requirements noted above. Host consents to the Event being listed (by Event name and date) on the NA electronic waiver form in order to match participants to specific Event, which may be viewable by third parties who are also provided the electronic waiver. If Event access is controlled by Host instead of NA (e.g., if Event is a school event or private party), Host agrees to obtain a signed NA Waiver from all participants.

6. **Event & Event Location Access**

Host will:

- a. Put on the Event with reasonable skill and care, customary for events of a similar location and size.
- b. Provide NA access to the Event Location a minimum of two (2) hours prior to the Event.
- c. Provide NA with reasonable parking accommodations (including overnight for multi-day events) as well as at least a 100' x 100' space at the Event Location (clearance of 13'6" high is required for access to any structures).
- d. Obtain any permits/permission necessary to host the Event at the Event Location, and will comply with applicable laws with respect to hosting the Event.

Host represents and warrants it maintains insurance as is necessary and customary to reasonably cover its operations and liabilities related to the Event.

Host acknowledges that the NA Obstacles/Equipment include large, heavy structures which may require stakes to be driven into the ground and could cause indentation marks on any surface. Host is responsible to take any precautions to protect the Event area (e.g., covering any flooring and/or ensuring an unobstructed pathway for the 70' long ninja rig). This includes but is not limited to grass/turf,

overhead wires, and underground sprinkler systems. NA is not responsible to Host or any third party for any damaged property prior to, during, or after the Event. If the Event Location is not ready or accessible when NA arrives or if the Obstacles/Equipment cannot be set up directly at the Event Location (extra handling involved), Host will be charged an additional fee based on the additional time required. If NA cannot deliver the Obstacles/Equipment, the Obstacles/Equipment may be taken back to its warehouse and the Host Fee will be retained by NA.

7. **Use of Likeness**

Host grants permission to NA to use Host's (and any of its owners, contractors, employees, agents, and volunteers) likeness, and images from the Event, in any photographs, recordings (including video and/ or sound) or other media made in connection with the event ("Images"). The Images may be used without restriction for the benefit of NA in any and all publications or media, in any form, including on any of NA's web sites or social media sites, without further consideration. Host is responsible to obtain all applicable consents to effectuate this provision.

8. **Indemnification**

Host agrees to indemnify and hold NA and its affiliates, and their respective agents, owners, directors, trustees, contractors, employees and volunteers, harmless against any and all claims of loss or damage (including reasonable attorneys' fees) associated with the Event or NA's participation in the Event, or resulting from Host's failure to perform its obligations under this Agreement, except in the event of liability arising from NA's willful misconduct or gross negligence.

9. **Governing Law/Venue**

This Agreement is governed by the laws of the State of Minnesota without giving effect to any conflict of law provisions of such state. The parties hereto hereby agree that any disputes arising out of this Agreement shall be litigated



exclusively in courts located in Hennepin County, Minnesota.

10. Binding Authority

The individual signing this Agreement for Host certifies that he or she has authority to bind Host to this Agreement.

11. Independent Contractor

Each party agrees that nothing in this Agreement will be construed as creating an employee-employer relationship, and NA is participating in the Event as an independent contractor only. Neither party has authority to bind the other party to any agreements or obligations.

12. No Warranty & Limitation on Liability

NA MAKES NO WARRANTY, EXPRESS OR IMPLIED, COURSE OF DEALING, COURSE OF PERFORMANCE, USAGE OF TRADE OR OTHERWISE, AND EXPRESSLY EXCLUDES AND DISCLAIMS ALL WARRANTIES AND REPRESENTATIONS OF ANY KIND, INCLUDING ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE AND NON-INFRINGEMENT.

NA's liability arising out of this Agreement is hereby limited in the aggregate to the fees

payable by Host to NA hereunder. The parties agree that neither party shall have the right to receive or collect consequential, punitive or exemplary damages from the other party.

13. Assignment

Host may not, without the prior written consent of NA, transfer or assign this Agreement or any part thereof. Any attempt to do so shall be a material default of this Agreement and shall be void.

14. Entire Agreement

This Agreement contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions to this Agreement shall be in writing and executed by the authorized representative of both parties.

15. Severability

Should any provision of this Agreement be declared illegal, void or unenforceable under state or federal law, the remaining provisions of this Agreement shall remain in force and be binding upon the parties hereto as though the said provision had never been included.



(612) 440-7866
NinjaAnywhere.com
2280 Terminal Rd. W
Roseville, MN 55113

Appendix A: Unique Terms And Conditions

The following terms and conditions (if any) modify the Agreement as follows:

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Elko New Market
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

NOTICE OF CANCELLATION ENDORSEMENT

This Endorsement modifies insurance provided under the following:

BUSINESSOWNERS POLICY
COMMERCIAL GENERAL LIABILITY COVERAGE PART

With respect to coverage provided by this Endorsement, the provisions of the Coverage Part apply unless modified by the Endorsement.

SCHEDULE

Name and address/contact information of Person(s) or Organization(s):

City of Elko New Market

121 Todd St, Elko New Market, MN 55054

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

The following Condition is added:

Notice Of Cancellation – Scheduled Person(s) or Organization(s)

- a. If we do not renew or cancel this policy, we will send advance written notice to the person(s) or organization(s) as shown in the SCHEDULE. The notice will be delivered by any method we choose, in the applicable timeframe specified in the policy's Cancellation Condition, any amendment to that Condition, or any other statutory timeframe requirements.
- b. Notice provided on this policy shall also apply as notice for any other Commercial Lines insurance policy or coverage part issued to the Named Insured by us.
- c. The notice is intended only to inform the person(s) or organization(s) named in the SCHEDULE in the event of a pending cancellation or non-renewal of coverage. Our failure to provide such advance notification will not:
 - (1) Change any policy cancellation or non-renewal effective date;
 - (2) Negate any cancellation or non-renewal of the policy; or
 - (e) Grant, alter, or extend any rights or obligations under any policy issued by us.

All other terms and conditions of this policy not in conflict with the terms and conditions of this Endorsement shall continue to apply.



STAFF MEMORANDUM

SUBJECT:	Ordinance No. 285 Amending Title 11 of the City of Elko New Market City Code Concerning Revisions to the Zoning Ordinance
MEETING DATE:	February 8, 2024
PREPARED BY:	Jake Skluzacek, Planner I
REQUESTED ACTION:	Adopt Ordinance No. 285 Amending Title 11 of the City of Elko New Market City Code Concerning Revisions to the Zoning Ordinance

COMMUNITY VISION:	
<input type="checkbox"/>	Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
<input type="checkbox"/>	The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
<input type="checkbox"/>	The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
<input type="checkbox"/>	The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
<input type="checkbox"/>	The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
<input type="checkbox"/>	The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:	
<input type="checkbox"/>	Advance the "shovel ready" status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
<input type="checkbox"/>	Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
<input type="checkbox"/>	Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
<input type="checkbox"/>	Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.
- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
- Performance Measurement - The City of Elko New Market will develop and utilize methods for measuring performance to evaluate progress and establish accountability for improving public services.
- Professionalism - The City of Elko New Market will provide local government that is characterized by high technical and ethical standards. The City will conduct business and present itself in a manner that promotes public confidence. The City will endeavor to recruit, train, and develop cohesive, high quality professional staff that will excel in providing public services.

BACKGROUND:

Following an inquiry from a resident about constructing a detached accessory structure utilizing two shipping storage containers for a base, Staff conducted research on the topic of storage containers. Research was limited as no other Cities currently allow these containers to be used as accessory structures or dwellings by Ordinance. Staff presented several other city's Ordinances that allow for storage containers for the purpose of temporary storage at the April 25th Planning Commission meeting.

Feedback from the Commission at that meeting indicated that storage or shipping containers should not be utilized for dwellings nor accessory structures due to concerns relating to maintenance, upkeep, and appearance. The Commission, however, was in favor of exploring an amendment to the City's Zoning Ordinance to allow storage containers for the purpose of temporary storage in all districts. At least one of the Planning Commissioners was open to the idea of using storage containers for permanent storage in industrial zoned areas. Following discussion by the Commission, the Commission directed Staff to present a sample Ordinance to review. Staff presented two possible options for a potential Ordinance Amendment at the June 27th Planning Commission meeting.

Feedback gathered from the June 27th Planning Commission meeting led Staff to create a final draft for the Ordinance amendment. Due to other higher priority projects, Staff did not hold a public hearing on the draft Ordinance amendment until the January 30th Planning Commission meeting. No members of the public attended the public hearing nor submitted any comments. Following the close

of the public hearing, the Planning Commission unanimously moved to recommend approval of Draft Ordinance No. 285 to the City Council.

BUDGET IMPACT:

None.

DISCUSSION:

Staff are asking the City Council to Adopt Ordinance No. 285 Amending Title 11 of the City of Elko New Market City Code Concerning Revisions to the Zoning Ordinance. The Ordinance amends Section 11-2-2 of the City Code by creating two new definitions: Portable Storage Container and Shipping Container.

The Ordinance also creates a new section of City Code, 11-6-13. This section limits temporary storage using containers in all zoning districts to a maximum of 60 days in any one-year period. The section also states that permanent storage using containers in industrial zoned areas must utilize a surface of concrete, bitumen, or pavers. The containers are not allowed to be stored on grass, dirt, or gravel in industrial zoned areas. Finally, this section states that the containers shall comply with standard setback requirements for accessory structures and that they may not be used for dwellings nor accessory use structures.

ATTACHMENTS:

Draft Ordinance No. 285 Amending Title 11 of the City of Elko New Market City Code Concerning Revisions to the Zoning Ordinance

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

ORDINANCE NO. 285

**AN ORDINANCE AMENDING TITLE 11 OF THE CITY OF ELKO NEW MARKET
CITY CODE CONCERNING REVISIONS TO THE ZONING ORDINANCE.**

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

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

PORTABLE STORAGE CONTAINER: A large, secure, and weather-resistant box that can be conveniently moved from place to place and used for temporary storage purposes.

SHIPPING CONTAINER: A large, steel box designed and built to transport goods by sea or land. In the container industry, they are referred to as ISO or Intermodel Containers.

SECTION 2. Section 11-6-13 of the Elko New Market City Code is hereby created to read as follows:

- A. In all zoning districts, the use of portable storage containers or shipping containers, and other similar structures or containers for temporary storage on a driveway or parking lot is allowed, but in no event shall such containers be present for more than 60 days in any one-year period.
- B. In all industrial zoned districts, the use of permanent portable storage containers, shipping containers, and other similar structures or containers for storage on a lot is allowed, but such containers shall be located on a surface of concrete, bitumen, or pavers.
- C. Portable storage containers and shipping containers shall comply with the standard setback requirements for accessory structures. Portable storage containers, shipping containers, and other similar structures or containers for storage shall not be used as a dwelling or an accessory use structure.

SECTION 3. This Ordinance shall take effect immediately upon its passage and publication.

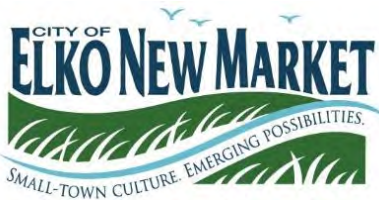
ADOPTED this 8th day of February, 2024, by the City Council for the City of Elko New Market.

CITY OF ELKO NEW MARKET

BY: _____
Joe Julius, Mayor

ATTEST:

Thomas Terry, City Administrator/ City Clerk



STAFF MEMORANDUM

SUBJECT:	Xcel Energy Franchise Ordinance
MEETING DATE:	January 25, 2024
PREPARED BY:	Brandon Malecha, Planner I
REQUESTED ACTION:	<p>1. Adopt Ordinance No. 286 Ordinance Granting To Northern States Power Company, A Minnesota Corporation, D/B/A Xcel Energy, Its Successors And Assigns, Permission To Construct, Operate, Repair And Maintain In The City Of Elko New Market, Minnesota, An Electric Distribution System And Transmission Lines, Including Necessary Poles, Lines, Fixtures And Appurtenances, For The Furnishing Of Electric Energy To The City And Its Inhabitants And Others And Transmitting Electric Energy Into And Through The City And To Use The Public Ways And Public Grounds Of The City For Such Purposes</p> <p>i2. Adopt Summary Ordinance No.287 An Ordinance Granting Northern States Power Company, A Minnesota Corporation, D/B/A Xcel Energy An Electric Franchise</p>

COMMUNITY VISION:	
<input type="checkbox"/>	Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
<input type="checkbox"/>	The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
<input type="checkbox"/>	The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
<input type="checkbox"/>	The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
<input type="checkbox"/>	The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
<input type="checkbox"/>	The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.
PRIORITY GOALS:	

- Advance the “shovel ready” status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.
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- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
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BACKGROUND:

A franchise agreement is a legal, binding contract between a franchisor and franchisee (City of Elko New Market and Xcel Energy). Cities have broad franchise rights under state law. In Minnesota, these franchises are negotiated and take the form of a contract set forth in an ordinance. Cities have the right to require franchises and to include certain terms, such as franchise fees. The City was previously in a franchise agreement with Xcel Energy that expired March 3, 2005.

DISCUSSION:

Staff is asking Council to approve the terms of the franchise agreement with Xcel Energy. A few key points include:

- The term length is 20 years (Effective upon acceptance). The City typically requires a 10-year term length. Xcel Energy was unwilling to compromise on their requirement of a 20-year term.
- This Franchise hereby grants the right to transmit and furnish electric energy for light, heat, power, and other purposes for public and private use within and through the limits of the City as its boundaries now exist or as they may be extended in the future.
- The service to be provided and the rates to be charged by Company for electric service in City are subject to the jurisdiction of the Public Utilities Commission of this State or its successor agency.
- Franchise not exclusive - The Franchise granted pursuant to this Agreement shall not be construed as limiting the right of Grantor.
- This agreement has been reviewed by the City Attorney's office, and their comments have been incorporated into the attached agreement.

ATTACHMENTS:

- Ordinance No. 286 Ordinance Granting To Northern States Power Company, A Minnesota Corporation, D/B/A Xcel Energy, Its Successors And Assigns, Permission To Construct, Operate, Repair And Maintain In The City Of Elko New Market, Minnesota, An Electric Distribution System And Transmission Lines, Including Necessary Poles, Lines, Fixtures And Appurtenances, For The Furnishing Of Electric Energy To The City And Its Inhabitants And Others And Transmitting Electric Energy Into And Through The City And To Use The Public Ways And Public Grounds Of The City For Such Purposes
- Adopt Summary Ordinance No.287 An Ordinance Granting Northern States Power Company, A Minnesota Corporation, D/B/A Xcel Energy An Electric Franchise

ELECTRIC FRANCHISE

ORDINANCE NO. 286

CITY OF ELKO NEW MARKET, SCOTT COUNTY, MINNESOTA

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF ELKO NEW MARKET, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING ELECTRIC ENERGY INTO AND THROUGH THE CITY AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY FOR SUCH PURPOSES.

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

SECTION 1. Definitions

Subd. 1. “City” means the City of Elko New Market, County of Scott, State of Minnesota.

Subd. 2. “City Utility System” means the facilities used for providing non-energy related public utility service owned or operated by City or agency thereof, including sewer and water service, but excluding facilities for providing heating, lighting or other forms of energy.

Subd. 3. “Commission” means the Minnesota Public Utilities Commission, or any successor agency or agencies, including an agency of the federal government which preempts all or part of the authority to regulate electric retail rates now vested in the Minnesota Public Utilities Commission.

Subd. 4. “Company” means Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns.

Subd. 5. “Electric Facilities” Electric transmission and distribution towers, poles, lines, guys, anchors, conduits, fixtures, and necessary appurtenances owned or operated by company for the purpose of providing electric energy for public use.

Subd. 6. “Notice” means a writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to the General Counsel, Legal Services, 800 Nicollet Mall, Suite 3000, Minneapolis, MN 55402. Notice to the City shall be mailed to the City Clerk, 601 Main Street, P.O. Box 99, Elko New Market, MN 55020. Any party may change its respective address for the purpose of this Ordinance by written notice to the other parties.

Subd. 7. “Public Ground” means land owned by the City for park, open space or similar purpose, which is held for use in common by the public.

Subd. 8. “Public Way” means any street, alley, walkway or other public right-of-way within the City.

SECTION 2. Grant of Franchise

City hereby grants Company, for a period of twenty (20) years from the date hereof, the right to transmit and furnish electric energy for light, heat, power and other purposes for public and private use within and through the limits of City as its boundaries now exist or as they may be extended in the future. For these purposes, Company may construct, operate, repair and maintain electric distribution system and electric transmission lines, including poles, lines, fixtures, and any other necessary appurtenances in, on, over, under and across the Public Ways and Public Grounds of City. Company may do all reasonable things necessary or customary to accomplish these purposes, subject, however, to the further provisions of this franchise agreement.

SECTION 3. Restrictions

Subd. 1. Company facilities included in such electric distribution system, transmission lines and appurtenances thereto, shall be located and constructed so as not to interfere with the safety and convenience of ordinary travel along and over said Public Ground or Public Ways and so as not to disrupt normal operation of any City Utility System previously installed therein. Company's construction, operation, repair, maintenance and location of such facilities shall be subject to permits if required by separate ordinance and to other reasonable regulations of the City to the extent not inconsistent with the terms of this franchise agreement. Company may abandon its underground electric facilities in place, provided, at the City's request, Company will remove abandoned metal or concrete encased conduit interfering with a City improvement project, but only to the extent such conduit is uncovered by excavation as part of the City improvement project.

Subd. 2. Company shall not construct any new installations within or upon any Public Grounds without receiving the prior written consent of the City for each such installation. Permit conditions imposed on Company shall not be more burdensome than those imposed on other utilities for similar facilities or work. Company may, however, open and disturb any Public Ground or Public Way without permission from the City where an emergency exists requiring the immediate repair of Electric Facilities. In such event Company shall notify the City by telephone to the office designated by the City as soon as practicable. Not later than the second working day thereafter, Company shall obtain any required permits and pay any required fees.

Subd. 3. In constructing, removing, replacing, repairing, or maintaining said poles, lines, fixtures and appurtenances, Company shall, in all cases, restore the Public Ground or Public Ways in as good condition as they were prior to said operation and maintain any restored paved surface in such condition for one year thereafter. City hereby waives any requirement for Company to post a construction performance bond, certificate of insurance, letter of credit or any other form of security or assurance that may be required, under a separate existing or future ordinance of the City, of a person or entity obtaining the City's permission to install or maintain facilities in a Public Way.

Subd. 4. Nothing in this Ordinance relieves any person from liability arising out of the failure to exercise reasonable care to avoid damaging Electric Facilities while performing any activity.

Subd. 5. The City must give Company reasonable notice of plans for improvements to Public Grounds or Public Ways where the City has reason to believe that Electric Facilities may affect or be affected by the improvement. The notice must contain: (i) the nature and character of the improvements, (ii) the Public Grounds and Public Ways upon which the improvements are to be made, (iii) the extent of the improvements, (iv) the time when the City will start the work, and (v) if more than one Public Ground or Public Way is involved, the order in which the work is to proceed. The notice must be given to Company a sufficient length of time in advance of the actual commencement of the work to permit Company to make any necessary additions, alterations or repairs to its Electric Facilities.

SECTION 4. Tree Trimming

Company is also granted the permission and authority to trim all trees and shrubs in the Public Ways and Public Grounds of City interfering with the proper construction, operation, repair and maintenance of any poles, lines, fixtures or appurtenances installed in pursuance of the authority hereby granted, provided that Company shall save City harmless from any liability in the premises.

SECTION 5. Service and Rates

The service to be provided and the rates to be charged by Company for electric service in City are subject to the jurisdiction of the Public Utilities Commission of this State or its successor agency.

SECTION 6. Relocating

Subd. 1. Whenever City at its cost shall vacate, grade, regrade or change the line of any Public Way, or construct or reconstruct any City Utility System therein shall, in the proper exercise of its police power, and with due regard to seasonable working conditions, when necessary, and after approval of its final plans have been obtained, order Company to relocate permanently its lines, services and other property located in said Public Way materially interfering with the City's planned construction. Company shall relocate its facilities at its own expense. City shall give Company reasonable notice of plans to vacate, grade, regrade or change the line of any Public Way or to construct or reconstruct any City Utility System therein. However, after Company has so relocated, if a subsequent relocation or relocations shall be ordered within five (5) years from and after first relocation, City shall reimburse Company for such non-betterment relocation expense which Company may incur on a time and material basis; provided, if subsequent relocations are requested because Company facilities materially and necessarily interfere with the extension of a City Utility System to previously unserved areas, Company may be required to relocate at its own expense.

Subd. 2. Nothing contained in this franchise shall require Company to relocate, remove, replace or reconstruct at its own expense its facilities where such relocation, removal, replacement or reconstruction is solely for the convenience of the City and is not reasonably necessary for the construction or reconstruction of a Public Way or City Utility System or other City improvement.

Subd. 3. Any relocation, removal, or rearrangement of any Company facilities made necessary because of the extension into or through City of a federally-aided highway project shall be governed by the provisions of Minnesota Statutes Section 161.46 as supplemented or amended; and further, it is expressly understood that the right herein granted to Company is a valuable property right and City shall not order Company to remove or relocate its facilities without compensation when a Public Way is vacated, improved or re-aligned because of a renewal or a redevelopment plan which is financially subsidized in whole or in part by the Federal Government or any agency thereof, unless the reasonable non-betterment costs of such relocation and the loss and expense resulting therefrom are first paid to Company. The City is obligated to pay Company only for those portions of its relocation costs for which City has received federal funding specifically allocated for relocation costs in the amount requested by the Company, which allocated funding the City shall specifically request.

Subd. 4. The provisions of this franchise apply only to facilities constructed in reliance on a franchise from the City and shall not be construed to waive or modify any rights obtained by Company for installations within a Company right-of-way acquired by easement or prescriptive right before the applicable Public Way or Public Ground was established, or Company's rights under state or county permit.

SECTION 7. Indemnification

Subd. 1. Company shall indemnify, keep and hold the City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, inspection, the issuance of permits, or the operation of the electric facilities located in the Public Ways and Public Grounds. The City shall not be indemnified for losses or claims occasioned through its own negligence except for losses or claims arising out of or alleging the City's negligence as to the issuance of permits for, or inspection of, Company's plans or work. The City shall not be indemnified if the injury or damage results from the performance in a proper manner of acts reasonably deemed hazardous by Company, and such performance is nevertheless ordered or directed by City after notice of Company's determination.

Subd. 2. In the event a suit is brought against the City under circumstances where this agreement to indemnify applies, Company at its sole cost and expense shall defend the City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If Company is required to indemnify and defend, it will thereafter have control of such litigation, but Company may not settle such litigation without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City; and Company, in defending any action on behalf of the City shall be entitled to assert in any action every defense or immunity that the City could assert in its own behalf.

SECTION 8. Vacation of Public Ways

The City shall give Company at least two (2) weeks prior written notice of a proposed vacation of a Public Way. Except where required solely for a City improvement project, the vacation of any Public Way, after the installation of electric facilities, shall not operate to deprive Company of its rights to operate and maintain such electric facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to

Company. In no case, however, shall the City be liable to pay damages to Company for failure to specifically preserve a right-of-way, under Minnesota Statutes, Section 160.29.

SECTION 9. Franchise Fee

The City reserves all rights under Minnesota Statutes, Section 216B.36 and 301B.01 to require a franchise fee at any time during the term of this ordinance. If the City elects to require a franchise fee it shall notify Company and the Company and the City shall meet and negotiate in good faith to arrive at mutually agreeable terms for the collection of such fee. The City shall establish and set forth such fee amount in a separate ordinance adopted at least sixty (60) days after notice enclosing such proposed ordinance has been served upon the Company by certified mail.

SECTION 10. Abandoned Facilities

The Company shall comply with City ordinances, Minnesota Statutes, Section 216D.091 *et. seq.* and Minnesota Rules Part 7819.3300, as they may be amended from time to time. The City and the Company shall comply with the requirements of Section 216D.04.

SECTION 11. Written Acceptance

Company shall, if it accepts this Ordinance and the rights and obligations hereby granted, file a written acceptance of the rights hereby granted with the City Clerk within ninety (90) days after the final passage and publication of this Ordinance.

SECTION 12. General Provisions

Subd. 1. Every section, provision, or part of this Ordinance is declared separate from every other section, provision or part; and if any section, provision or part shall be held invalid, it shall not affect any other section, provision or part. Where a provision of any other City ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.

Subd. 2. If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within thirty (30) days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within thirty (30) days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this franchise or for such other relief as may be permitted by law or equity for breach of contract, or either party may take any other action permitted by law.

Subd. 3. This Ordinance constitutes a franchise agreement between the City and Company as the only parties and no provision of this franchise shall in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party beneficiary of the agreement or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

Subd. 4. Any change in the form of government of the City shall not affect the validity of this Ordinance. Any governmental unit succeeding the City shall, without the consent of Company, succeed to all of the rights and obligations of the City provided in this Ordinance.

Subd. 5. Nothing in this Ordinance relieves any person from liability arising out of the failure to exercise reasonable care to avoid damaging Company's facilities while performing any activity.

SECTION 13. Publication Expense

The expense of publication of this Ordinance shall be paid by City and reimbursed to City by Company within 30 days.

SECTION 14. Effective Date

This Ordinance is effective as provided by statute or charter and upon acceptance by Company as provided in Section 1.

Passed and approved: February 8, 2024.

CITY OF ELKO NEW MARKET

By: _____
Joe Julius, Mayor

ATTEST:

Thomas Terry, City Administrator

Northern States Power Company d/b/a Xcel Energy

By: _____

ELECTRIC FRANCHISE

SUMMARY ORDINANCE NO. 287

AN ORDINANCE GRANTING NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY AN ELECTRIC FRANCHISE

NOTICE IS HEREBY GIVEN that, on February 8, 2024, Ordinance No. 286 was adopted by the City Council of the City of Elko New Market, Minnesota.

Due to the lengthy nature of Ordinance No. 286 granting a franchise to Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, the following summary of the ordinance has been prepared for publication and approved by the City Council as authorized by state law.

Ordinance No. 286 grants a nonexclusive franchise to construct, operate, repair, and maintain facilities and equipment for the transportation, distribution, manufacture, and sale of electric energy, and to use public ways and public grounds for such purpose. The term of the franchise is twenty (20) years. The franchise ordinance specifies the terms under which the company may use city rights of way and public grounds to deliver electric service to residents, businesses and others within the City and contains the following sections: Definitions; Grant of Franchise; Franchise Fee; Abandoned Facilities; Written Acceptance; General Provisions; Publication Expense and Effective Date.

A printed copy of the entire ordinance is available for inspection by any person during regular office hours at the office of the City Clerk at the Elko New Market City Hall, 601 Main Street, Elko New Market, Minnesota 55054.

APPROVED for publication by the City Council of the City of Elko New Market, Minnesota, this 8th day of February 2024.

CITY OF ELKO NEW MARKET

By: _____
Joe Julius, Mayor

ATTEST:

Thomas Terry, City Administrator



Real People. Real Solutions.

MEMORANDUM

Date: February 8, 2024

To: Mayor and City Councilmembers
Tom Terry, City Administrator

From: Rich Revering, PE, City Engineer

Subject: Xerxes Avenue Parking Restrictions
2024 Pavement Rehabilitation Project
BMI No. 0T1.131041

Background

The Council is being asked to approve by resolution the prohibition of parking on both sides of Xerxes Avenue between CSAH 2 and Beard Avenue as a condition of State-Aid approval of the plans for the 2024 pavement rehabilitation of Xerxes between Ptarmigan Drive and Glenborough Drive.

Discussion

Council may have noticed that Xerxes already has no parking signs posted over its entire length. State Aid requires submittal of resolutions prohibiting parking where street widths do not meet width standards to allow parking. This is the case with Xerxes Avenue. Staff was unable to recover the original Elko council action establishing this no parking zone, so it is being brought to this council to formally document the decision.

Council may also have noticed that the limits of the no parking zone contemplated by the resolution (CSAH 2 to Beard) exceed the limits of the 2024 pavement rehabilitation project (Ptarmigan to Glenborough). The City Engineer is recommending the restriction over the entire length to document the existing condition and because the travel speeds and lane widths of Xerxes in areas outside the project limits are also inconsistent with parking on either side.

The City Engineer's office is aware of no demands for parking on this roadway evidenced by contacts to City Hall or enforcement issues with unlawful parking along this roadway.

Action Requested

Adopt the attached resolution restricting parking on both sides of Xerxes Avenue between CSAH 2 and Beard Avenue.

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

RESOLUTION NO. 24-10

**ESTABLISHING PARKING RESTRICTIONS ON XERXES AVENUE FROM SCOTT
COUNTY CSAH 2 TO BEARD AVENUE**

WHEREAS, the City of Elko New Market is planning the improvement of Xerxes Avenue from Ptarmigan Court to Glenborough Drive in 2024 as part of project 2024-92 (“Project”); and

WHEREAS, the City Council of the City of Elko New Market wishes to promote the safety of its residents; and

WHEREAS, the existing roadway and proposed improvements do not provide adequate width for parking on either side of Xerxes Avenue; and

WHEREAS, the posted speed limit is incompatible with shoulder parking and pedestrians on either side of Xerxes Avenue; and

WHEREAS, approval of the Xerxes Avenue portion of the Project as a State-Aid project requires the establishment of parking restrictions on the State-Aid route; and

WHEREAS, City Code Section 7-2-1 (A) authorizes the City to establish parking restrictions by resolution.

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

1. That parking is prohibited on both sides of Xerxes Avenue from Scott County CSAH2 to Beard Avenue; and
2. That signs prohibiting parking be installed on Xerxes Avenue in accordance with this Resolution.

APPROVED AND ADOPTED this 8th day of February, 2024.

CITY OF ELKO NEW MARKET

By: _____
Joe Julius, Mayor

ATTEST:

Thomas Terry, City Administrator/Clerk



STAFF MEMORANDUM

SUBJECT:	Provision of Equipment to Nerstrand Fire Department
MEETING DATE:	February 8, 2024
PREPARED BY:	Brady Juell, Chief of Police
REQUESTED ACTION:	Provide the subject hoses and couplers to the Nerstrand Fire Department at no cost.

COMMUNITY VISION:

- Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
- The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
- The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
- The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
- The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
- The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:

- Advance the "shovel ready" status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in

strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.

- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
- Performance Measurement - The City of Elko New Market will develop and utilize methods for measuring performance to evaluate progress and establish accountability for improving public services.
- Professionalism - The City of Elko New Market will provide local government that is characterized by high technical and ethical standards. The City will conduct business and present itself in a manner that promotes public confidence. The City will endeavor to recruit, train, and develop cohesive, high quality professional staff that will excel in providing public services.

BACKGROUND

The Fire Department has hoses and hose couplers that are no longer compatible with their current fire apparatus. These hoses and couplers are four inches in diameter and the new truck takes 5 inch components to allow for better water flow and capacity. These 4” hoses and couplers are no longer needed. The space to store these hoses and couplers is needed for other purposes. The value of the hose and couplers is about \$600.

The Fire Department has a desire to provide these un-needed/unused hoses and couplers to the Nerstrand Fire Department. They are a small-town fire department with financial limitations and this equipment is much needed and would be greatly appreciated. The Nerstrand Fire Department would put the hoses and couplers to use serving public safety and would greatly help the department operations.

EQUIPMENT

7-100 Foot rolls of 4” water hose
10-4” couplers to go with the hose

DISCUSSION

The fire department is looking for approval to provide the subject hoses and couplers to the Nerstrand Fire Department at no cost.

BUDGET IMPACT

No impact to the budget. The Nerstrand Fire Department would handle the delivery of the hose and couplers.



STAFF MEMORANDUM

SUBJECT:	Appoint Council Representative to Commissioner Review Panels
MEETING DATE:	February 8, 2024
PREPARED BY:	Jake Skluzacek, Planner I
REQUESTED ACTION:	Appoint Council Representative to Commissioner Review Panels

COMMUNITY VISION:

- Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
- The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
- The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
- The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community’s residents.
- The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
- The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:

- Advance the “shovel ready” status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.
- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
- Performance Measurement - The City of Elko New Market will develop and utilize methods for measuring performance to evaluate progress and establish accountability for improving public services.
- Professionalism - The City of Elko New Market will provide local government that is characterized by high technical and ethical standards. The City will conduct business and present itself in a manner that promotes public confidence. The City will endeavor to recruit, train, and develop cohesive, high quality professional staff that will excel in providing public services.

DISCUSSION:

Staff are asking the City Council to appoint a representative to serve on the Parks and Planning Commissioner Review Panels.



STAFF MEMORANDUM

SUBJECT:	Monthly Public Works Report - January 2024
MEETING DATE:	February 8, 2024
PREPARED BY:	Corey Schweich, Public Works Director
REQUESTED ACTION:	Information Only

COMMUNITY VISION:

- Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
- The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
- The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
- The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
- The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
- The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:

- Advance the "shovel ready" status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.
- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
- Problem Solving - The City of Elko New Market will engage in the process of proactive and systematic examination of identified issues in order to evaluate effective policy decisions by: Using available technology to improve the quality and accuracy of data used in decisions; Provide the resources to develop and implement the most cost-effective solutions; Considering the long-term costs and benefits in policy decisions; and Engaging in long-term financial planning to provide public services without undue burden on the taxpayers of the city.
- Performance Measurement - The City of Elko New Market will develop and utilize methods for measuring performance to evaluate progress and establish accountability for improving public services.
- Professionalism - The City of Elko New Market will provide local government that is characterized by high technical and ethical standards. The City will conduct business and present itself in a manner that promotes public confidence. The City will endeavor to recruit, train, and develop cohesive, high quality professional staff that will excel in providing public services.

BACKGROUND

Staff is presenting a written report on Public Works activities in January.

DISCUSSION

- Staff performed Snow & Ice Control operations on four events in January. There was very little snow accumulation during the events. Staff applied deicing materials and spot plowing for only three of the events and performed a full plow on one of the events. Below is a cost breakdown for the events-
 - Employee cost (this number is based off employee's hourly rate and does not include overtime and/or benefits) \$2,970.
 - De-icing materials (salt & brine) \$3,183.
 - Equipment cost (this number is based off our fee schedule) \$5,060.
- Public Works had experienced some issues with the run times on one of the pumps at the Chowen lift station. Staff inspected the pump and found no blockages. Quality Flow was called in to check the voltage on the motor and found that it was going bad and needed to be rebuilt. Quality Flow pulled the pump and installed a loaner while that pump was being rebuilt, after that pump was rebuilt and installed, they pulled the other pump

and rebuilt that one also. It should be noted that these pumps were installed in 2008 and we have experienced no major issues outside of normal wear and tear.

- Employee cost (this number is based off employee's hourly rate and does not include overtime and/or benefits) \$215.
- PO cost (pump rebuilds) \$8,530.
- Equipment cost (this number is based off our fee schedule) \$420.
- The tandem axle plow truck that was originally ordered in 2022 is close to being completed. Crysteel had contacted Public Works asking if they could take the truck to a vendor show in early March and would credit the City \$5000 if the City allowed them to take it to the event. The City will take delivery of the truck after it returns from the show in March.
- As a result of the extremely cold temperatures in the early part of the month Staff was able to build ice by flooding rinks roughly 24 hours a day. Rinks were officially opened in mid-January. Staff will continue to flood and maintain the rinks as long as the weather permits. This may come to an early end as the temperatures are continuing to rise above freezing. However, since there is roughly 10" of ice in the rinks we may be able to keep them open for a longer period.
 - Employee cost (this number is based off employee's hourly rate and does not include overtime and/or benefits) \$12,597 (roughly 344 hours).
 - Equipment cost (this number is based off our fee schedule) \$25,155 (roughly 332 hours).
- Due to the lack of snow and warmer temperatures, Staff was able to remove trees and brush around several ponds that were not accessible previously. Much of this work was not able to be completed previously due to ponds being full of water or lack of Staff due to other priorities. This work will continue throughout the winter as time permits.
 - Employee cost (this number is based off employee's hourly rate and does not include overtime and/or benefits) \$5,439 (roughly 146 hours)
 - Equipment cost (this number is based off our fee schedule) \$7,560.
- Public Works has been inspecting and providing information to Bolton-Menk on the streets, sewer and stormwater infrastructure in the old downtown. The more info the design engineers have will help with project design and limit the unknowns; it should be noted that there will still be unknowns in the project.
- Fuel cost for Public Works in November was \$2,686.
- Public Works Staff experienced some telemetry (communication) issues from the New Market tower to the water plant. Staff is still working with In Control to come up with a solution to the issues. Communications are currently working but not at an ongoing acceptable level.
- Director Schweich has been working on some different options to replace some of the aging fleet that is scheduled to be replaced. As with everything else, vehicle and equipment costs have jumped significantly in the past few years. The equipment that was purchased previously has worked great for many years but, as Department duties and responsibilities have continued to expand over the years, the vehicle and equipment needs have also changed. Staff will continue to gather the needed info and will provide the Council with an update and proposal later. It should be noted that the proposed changes within the fleet would change purchase years but would fall within the current Capital Outlay Budget.

- Public Works has continued to collect data for the Lead Service Line Inventory project. By the end of 2024 all service lines of homes built before 1986 need to be inspected and inventoried. There are currently 114 properties that fit this description. Utility Billing/Office Technician Stephanie Fredrickson has sent letters to all the properties and has started to schedule the appointments. The appointments only take a few minutes and we have completed close to 43 of them so far. None of the lines that have been inspected have been lead.
- Staff performed GSOC (Gopher State One Call) locates on all public utilities. By law, the City must complete the locates within 48 hours of the ticket being submitted. Locates are good for two weeks and will need updated or remarked if the work exceeds the two-week mark.
 - Employee cost (this number is based off employee's hourly rate and does not include overtime and/or benefits) \$142 (roughly 4 hours)
 - Equipment cost (this number is based off our fee schedule) \$250.
- Staff has continued working on collecting data for the new iWorQ software. Staff is currently using the software for most of the work requests. Once every Staff member is trained, the software will be used to track all work requests. This software will be very beneficial once it is fully implemented. However, it will take some time to get it completely set up. Staff has started to upload inventory into the program, which will help with cost allocation of parts and ordering of supplies.
- Director Schweich & Maintenance Worker Cavanaugh will continue to train newer Staff on how to run and operate the Water Treatment Facility.



STAFF MEMORANDUM

SUBJECT:	Monthly Police Activity - January 2024
MEETING DATE:	February 8, 2024
PREPARED BY:	Brady Juell, Chief of Police
REQUESTED ACTION:	General reporting and Council information

COMMUNITY VISION:

- Envisioned to be a mature growing freestanding suburb of the Twin Cities Metropolitan Area, the City will foster a friendly and social environment that supports a safe, vibrant, and welcoming community. The community will be inclusive of people of all backgrounds and built on genuine relationships.
- The community will preserve its historic landmarks and small-town character while providing suburban amenities and services. A full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities will be available for community members and visitors.
- The City will promote a diverse commercial and industrial tax base. The City will facilitate planned redevelopment. Development and redevelopment within the community will be aesthetically pleasing with architectural standards that promote quality development.
- The City will have a comprehensive park and trails system. The park system will have sufficient facilities, play fields and open space to meet the needs of the community's residents.
- The City will have an effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate.
- The City will provide community oriented local government that promotes community involvement, organizational improvements, problem solving, performance measurement and professionalism. The City will provide a full range of high-quality municipal services to its residents; allocate sufficient resources to meet the growing needs of the community; and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on the taxpayers of the City.

PRIORITY GOALS:

- Advance the "shovel ready" status of areas guided for commercial and industrial development through planning and where feasible, the procurement of supporting infrastructure.
- Develop a more diverse tax base, create more local employment opportunities and promote additional businesses and services within the community.
- Enhance the quality of life in the community through the improvement and expansion of the parks and trails system, recreational programming and cultural events.
- Promote high quality residential development that includes a broad spectrum of housing choices in both type and cost. Facilitate the development of residential lots and an increase in residential building permit activity.

COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement - The City of Elko New Market will incorporate community feedback in making participative, transparent decisions by: Providing more opportunities for the public to have input on decisions that affect them; Engaging the

public in strategic planning initiatives, both short and long term; Enabling the public to provide input on the effectiveness of public services and policies; and Working to develop leadership within the community.

- Organizational Improvement - The City of Elko New Market will strive to elevate the level of customer service and service delivery through cost effective use of personnel, structure, and information systems by: Developing an organizational climate that promotes innovation, creativity, collaboration and a customer-centered focus in providing community services, programs and projects; and Improve public services by reducing barriers between City departments in order to provide greater accessibility, flexibility, and efficiency in the delivery of public services.
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BACKGROUND:

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

DISCUSSION:

Department Staffing Information

The Elko New Market Police Department's seventh full time Police Officer, Jeff Addabbo has passed Field Training and is now on solo patrol. As part of our overall training, Ofc Addabbo will be in a Shadow Schedule with other officers for his first month of solo service. This means he will always be scheduled to work when other officers are on duty in case the need arises for guidance. Although he is fully able to work by himself with no one on duty, this Shadow Schedule phase was implemented in 2022 to give more time for an officer with no previous police experience to get his/her feet under them before going it on their own.

In March, the Department's new staffing schedule will go into effect. Ofc Addabbo will occupy a spot in that schedule. Along with adding Ofc Addabbo to the schedule, the Department will be taking Ofc Wirtz off the schedule. She will no longer be scheduled for her part time shifts as the new schedule accommodates those shifts.

Ofc Wirtz schedule departure will end the very long history in the Department of supplementing staffing with Part-Time Officers. Although Admin Officer, Ofc Machaby will be working on the road from time to time to help with gaps in coverage and to work Grant Traffic Shifts, he will not be part of the regular schedule. This is a very big step for the Department and will bring more stability to the work schedule.

The application process is still going on for the next growth position that has been approved and partially funded by the Public Safety Legislation Fund. That process closes on the 23rd of February. The first and

second rounds of interviews will be the week of March 11th. ENMPD staff are hoping that a new officer could be employed in April. After a three-month field training, that officer could impact the patrol schedule in July.

Scott County Local Advisory Committee

Chief Juell has volunteered to join the Scott County Local Advisory Committee. This over 18-member committee has been created to advise the Scott County Commissioner's on the topic of mental health needs and resources. Probably their most notable accomplishment, among many, was that they were instrumental in the creation of the Mental Health Joint Response platform that Scott County, Shakopee and Savage PD share. This is where a mental health worker is jointly dispatched with police to mental health calls. This has been an extremely effective tool for those departments to curb the police resources spent on mental health calls and to deliver top quality mental health services to those communities.

The LAC consists of a variety of members. They include city leaders, mental health providers, Scott County Health and Human Services members, citizens that suffer from mental health disorders, and then two Law Enforcement Officials. Sheriff Luke Hennen currently oversees the other LE position. When the opening was presented to the Scott County Chiefs at the last monthly meeting, Chief Juell volunteered for the opening that will be created when Chief Rodney Seurer retires in June. Chief Juell believes that mental health calls are increasing and having a voice in the delivery of resources that are made and the manner they are delivered will have a huge benefit for our community. He will make an application and be voted on at the next meeting.

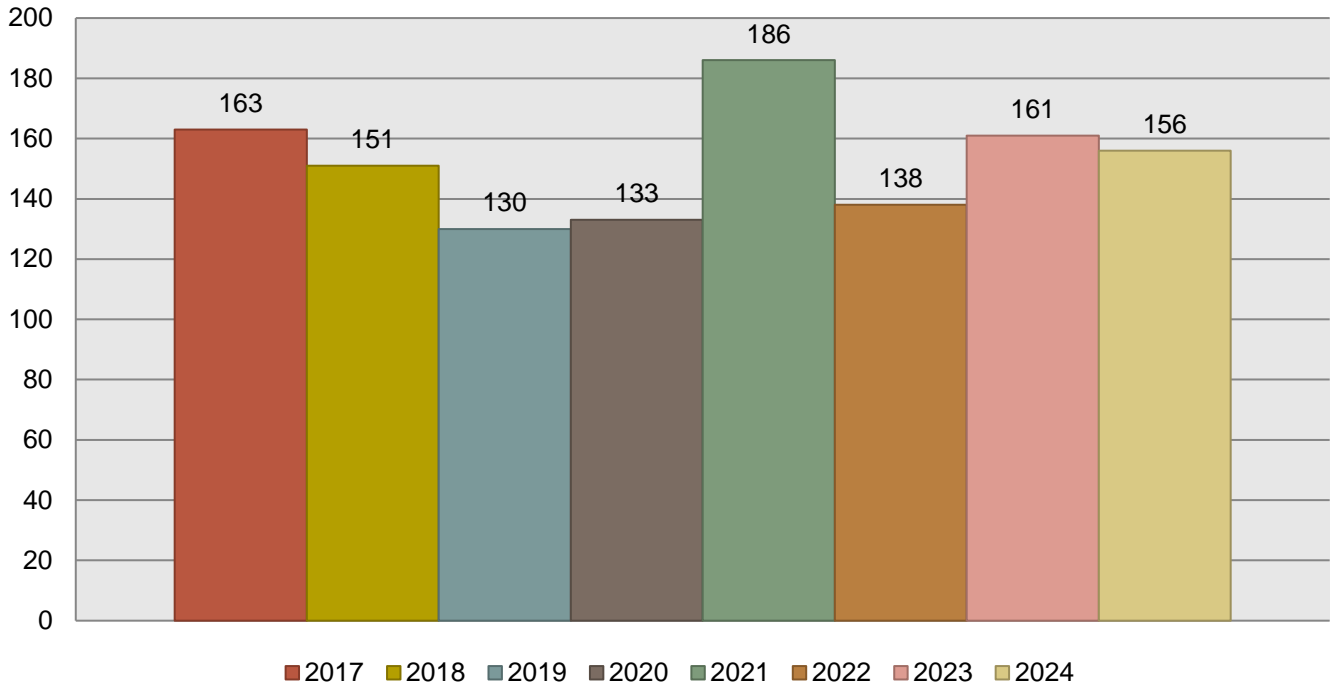
January 2024 PD STATS

	2024
Type	
Accident	4
ADMINISTRATION	25
Agency Assist	18
Alarm	7
Animal	6
Assist	16
Civil	4
Community Engagement	36
Crimes Against Family	4
Criminal Sexual Conduct	1
DEATH	1
Disturbance	3
Drug	1
Extra Patrol	421
Fire	2
Found	1
Fraud	1
Harassment	1
Hazard	4
Information	1
Juvenile	1
Littering	1
Lock Out	2
Lost Property	1
Medical	3
Open Door	8
Ordinance	98
Parking	5
Suspicious	15
Test Call	1
Theft	1
Threats	2
Traffic	160
TRAFFIC CRIMINAL	1
Trespass	2
Void	1
Warrant	2
Welfare Check	2
Grand Total	863

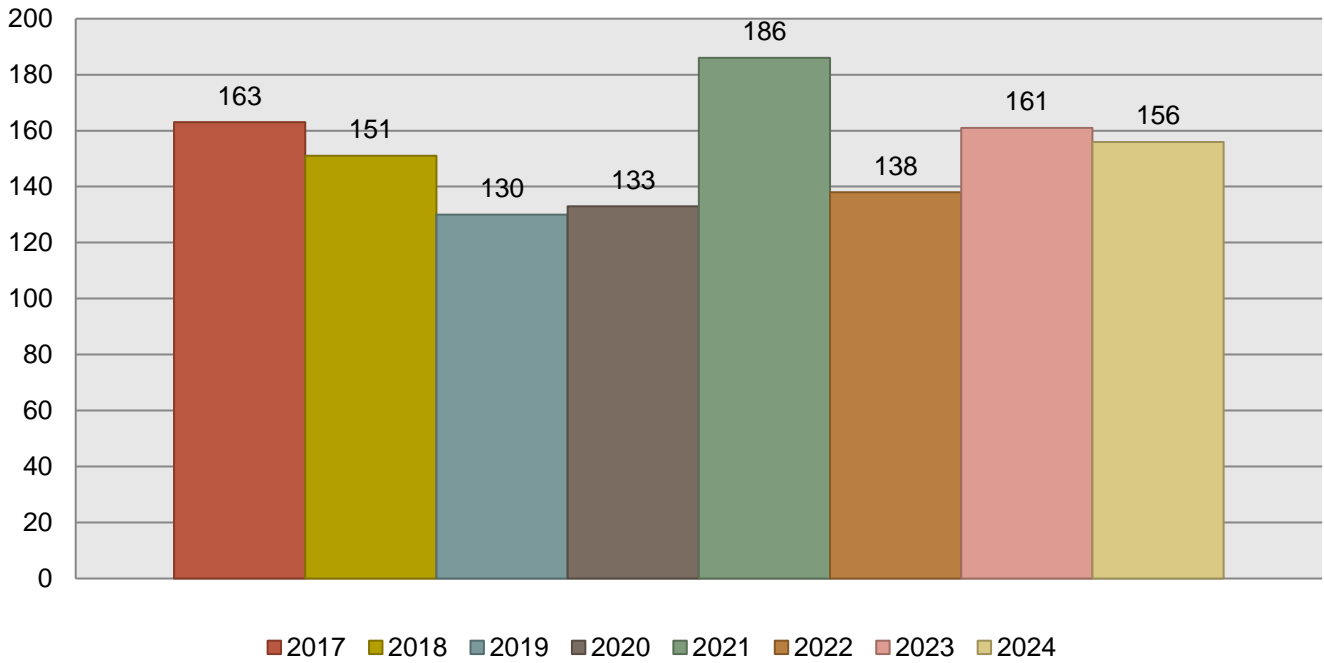
PERMITS TO PURCHASE IN December 4 YTD 4

January 2024 PD STATS

Calls for Service

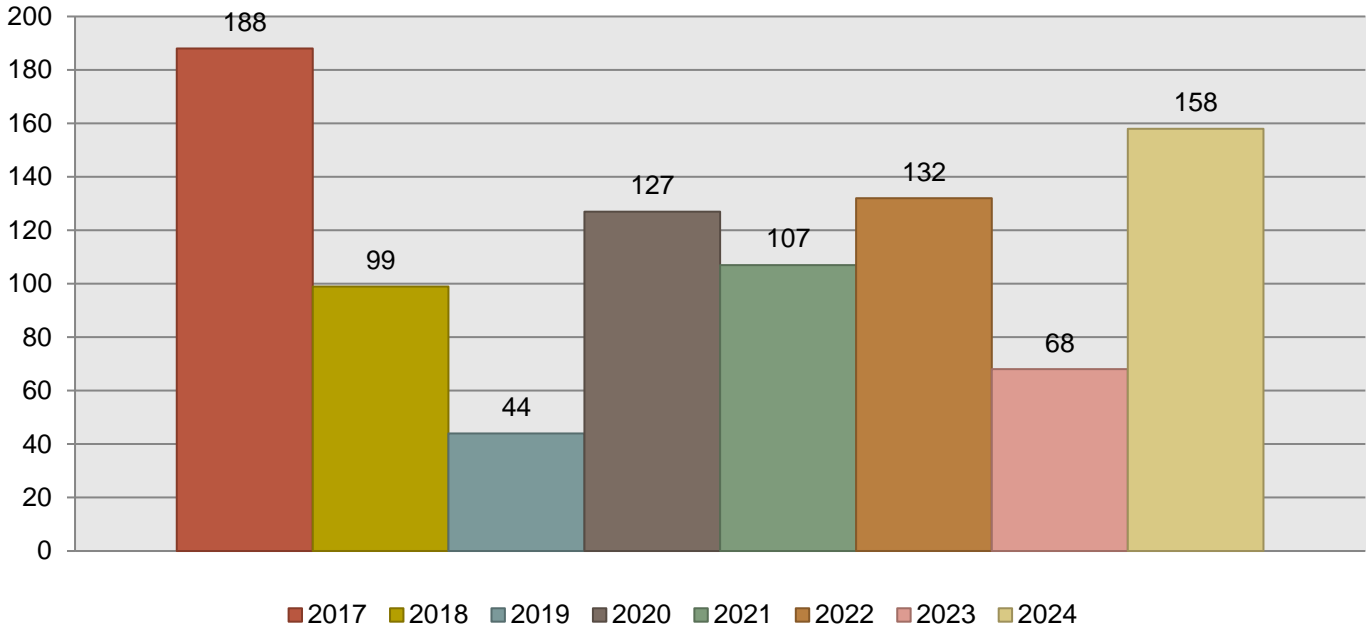


Calls for Service YTD



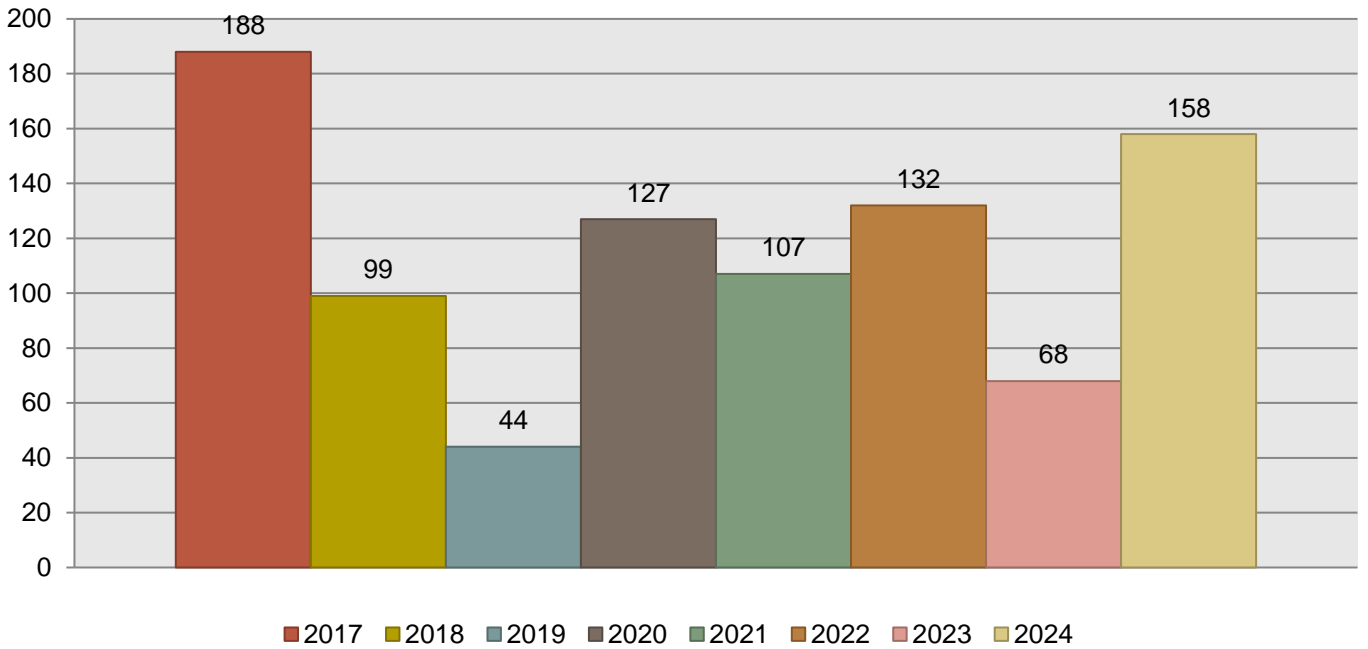
January 2024 PD STATS

Traffic Stops



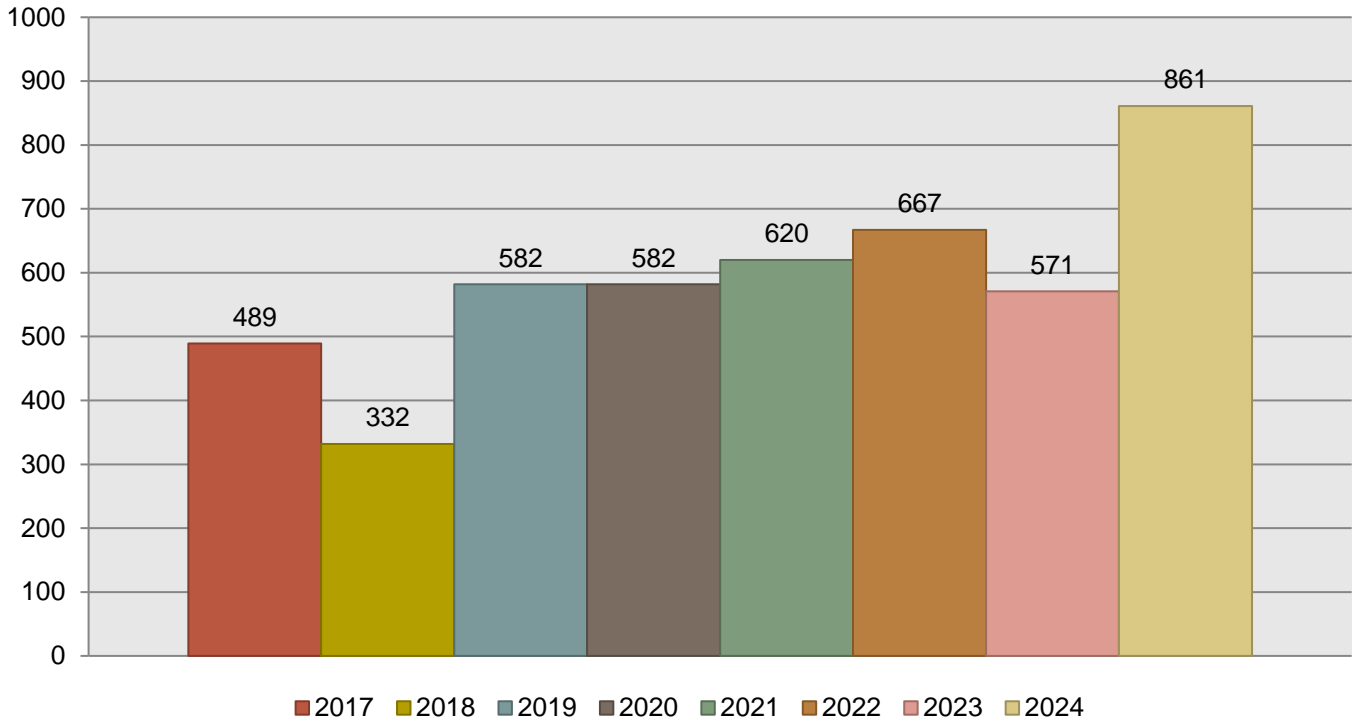
158 Traffic Stops were conducted in **Jan. 2024**. **139 verbal and written warnings** issued, and **18 citations** issued for speed, expired registration, no proof of citations insurance/no insurance, careless driving, and driving after revocation. **DWI(s) 1**. **Winter parking Viol. Total 88 Cites: 12**

Traffic Stops YTD

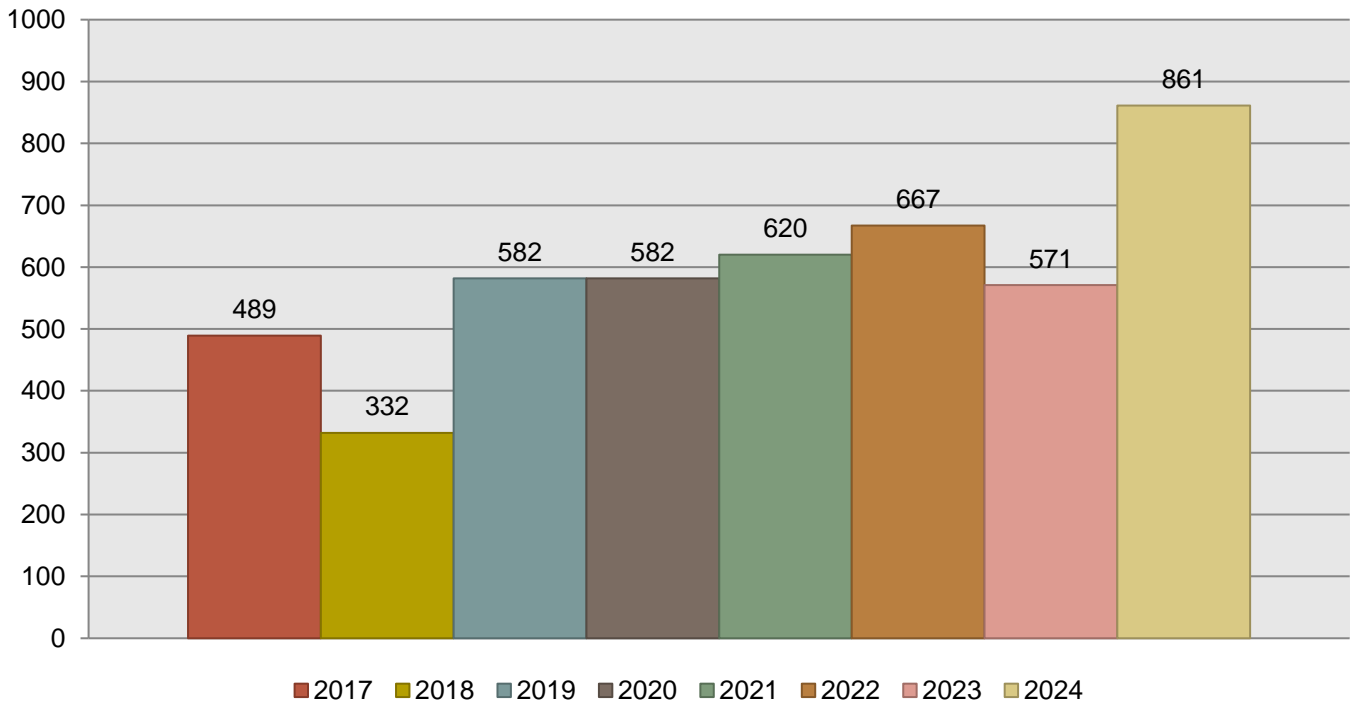


January 2024 PD STATS

Total Incidents Handled



Total Incidents Handled YTD



MINUTES
CITY OF ELKO NEW MARKET
PARKS COMMISSION MEETING
January 10, 2024
6:00 PM

1. CALL TO ORDER

Chair Sutton called the meeting of the Elko New Market Parks Commission to order at 6:02 p.m.

Commission members present: Sutton, Jones, Hokeness and West

Members absent and excused: Vernon

Staff Present: Maintenance Worker Derek Cavanaugh and Planner Jake Skluzacek

2. PLEDGE OF ALLEGIANCE

Chair Sutton led the Parks Commission in the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Chair Sutton asked if there were any changes to the agenda. Planner, Jake Skluzacek, informed him that there were no changes to the agenda.

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

4. PUBLIC COMMENT

There was no public comment.

5. APPROVAL OF MINUTES

A motion was made by Hokeness and seconded by Jones to approve the minutes of the December 13th, 2023, meeting as submitted.

Motion carried: (4-0).

6. GENERAL BUSINESS

A. Facility Reservations Discussion

Planner Skluzacek presented information to the Commission continuing their discussion from previous meeting on the subject of ball field reservations. Due to there being new members on the Commission since the last discussion, Skluzacek went through the background

information associated with the topic. The City owns and maintains three ball fields in the City. Reservations for the fields are available from the last week of April through the end of August. Currently, there is no fee charged for field reservations. The primary user of the fields is the New Market Baseball Association (NMBA). In the past few years, concerns arose regarding the filed reservation process. The Parks Commission changed the start time of field reservations from 10 AM to 11 AM as a compromise between field users and Wagner Park Shelter rental users. The Parks Commission also directed Staff to draft a new reservations form which incorporated research from other city's forms.

Skruzacek next went through the current reservation process with the Commission. For a City ball field to be reserved the organization, league or individual needs to complete a rental agreement form and a City waiver form. They must also provide a refundable damage deposit of \$200 and liability insurance information. If a reservation is for multiple dates, the renter is asked to provide a full schedule that includes practices, games and a reasonable number of alternative dates for weather related cancellations. Staff then give final approval for the reservations based on existing field availability.

Historically, the NMBA has been the only league requesting time. As the City grows, demand for field use is rising. To maximize opportunities for field usage, Staff recommend a priority registration deadline is set. Requiring a schedule by certain dates allows for the greatest use of the fields for all groups interested. Skruzacek noted that field use is restricted for games after 11 AM from Fridays-Sundays to accommodate for Wagner Park Shelter rental parking. Field use is further restricted on Thursday evenings from June 10th-July 30th for Family Fun Nights.

Staff recommended approving a priority-based reservation system with accompanying categories, fees and registration deadlines. After discussion, the Commission decided not to charge any fees for reservations in 2024 but may institute fees in the future as demand increases. The following priority categories and registration deadlines were identified by the Commission:

- **Priority 1** – Refers to the programs and activities of the Elko New Market Baseball Association. Registration deadline – February 29th.
- **Priority 2** – Refers to local non-profit groups/clubs, agencies, parks and recreational programs and adult service organizations. Registration deadline – March 14th.
- **Priority 3** – Refers to local religious organizations for worship and adult or youth instruction, political parties, partisan issue organizations and local adult/youth special interest, recreational, or social groups/clubs/associations. Registration deadline – March 28th.
- **Priority 4** – Refers to for-profit businesses, educational institutions, non-profit organizations located outside of the City, or non-resident groups whose primary affiliation is considered to be located outside of the City. Registration deadline – April 11th.

Staff additionally recommended approving an updated Park Facility Rental Form. This form is largely based off the existing Wagner Park Shelter Rental Form but includes additional language addressing field use and a fill-in choice box that indicates which facility is being reserved. The choice to use one form for all City Facilities reservations is recommended by Staff as it simplifies the reservation process for both residents and Staff. After discussion, the Commission agreed that one form for all facility rentals is preferable to separate forms for separate facilities. Commission West wished the form to include language relating to loss of damage deposit for not following any of the rules and regulations. Skluzacek informed Commissioner West that additional language would be included in a final draft and that materials will be brought back before the Commission for final review before the City Council is asked to approve the changes.

B. Tree and Bench Donation Program Discussion

Skluzacek presented what a potential Tree and Bench Donation Program may offer to the City's Park System. Skluzacek explained that the program would allow anyone, resident or not, to purchase and donate to the City a tree and or bench to be placed in a City park or along a City trail. Typically, items are donated as a memorial but there are no criteria for what would qualify to allow for the greatest flexibility.

Staff recommend that the applicant only choose the general location in which they would like a tree or bench placed. Staff would then work with the applicant to ensure that the placement of the item would not cause any issues as it relates to utilities, sightlines, and other various factors of consideration. Skluzacek stated that the budget impact for a program such as this would be minimal as actual costs could be billed, including installation and shipping. Staff recommend providing applicants with approximate or estimated costs but be sure to include language that actual costs will be invoiced.

After discussion, it was decided that there is a desire by the Commission to implement a local Tree and Bench Donation Program. The Commission agreed with Staff's recommendation to provide estimated costs but ensure that actual costs are covered by the applicant. Opinions differed among the Commission regarding how many bench options should be provided. Skluzacek noted that the Commission can narrow down the options once Staff compiles an initial list for viewing. The Commission also had differing opinions on which trees to include as part of the program. Discussion took place on the City's approved tree planting list and inclusion of ornamental trees as part of the program. Staff will compile different lists for options to consider as part of a program and bring them back for further direction.

The City will be responsible for planting, maintaining, and caring for trees. If the tree becomes damaged or diseased, the City will replace it. Deciduous trees with diameters of at least 2 ½ inches will be planted. Coniferous trees shall be no less than six feet high at time of planting. These recommendations are consistent with the City's Landscaping Ordinance for new homes.

7. UPDATES & REPORTS

A. December Parks Commission Update

Planner Skluzacek had his report attached to the packet and briefly discussed upcoming projects. Maintenance Worker Cavanaugh informed the Commission of general updates also attached to the report in the packet. There was no discussion.

B. December Parks Financial Report

Planner Skluzacek had his report attached to the packet. There was no discussion on the December Parks Financial Report included in the packet.

8. PARKS COMMISSIONER'S QUESTIONS & COMMENTS

Commissioner Jones asked if the February 14th Commission meeting could be moved due to Valentine's Day. Planner Skluzacek stated that the Commission may choose to move the meeting date or cancel the meeting entirely. Skluzacek stated that cancelling the meeting would allow Staff more time to finalize the two programs discussed prior and there is also a lack of other general business items to discuss in February. Chair Sutton asked for Commissioner's opinions on the cancellation, no one argued against the cancellation. Staff will publish the cancellation notice and change the electronic sign to reflect the cancellation.

Commissioner Hokeness had a question regarding the signs for the Adopt-A-Park Program, specifically at Pete's Hill Park. Commissioner Hokeness requested three signs rather than one be placed in the park as the park has multiple trail entrances. Planner Skluzacek recommended that one sign per park should be the precedent that is followed as that is what the City Council formally approved when Staff presented to them the program. Commissioner Hokeness asked if he would be able to purchase additional signs for the park. Skluzacek stated that the issue with multiple signs is not necessarily the cost as each additional sign creates more obstacles for Public Works to mow around, maintain, and replace. Skluzacek also noted that any changes to the program would likely need to go through City Council approval.

Commissioner Hokeness asked Staff if they ever found out more about the portable restroom contract. Skluzacek stated that more research must be done to figure out if some restrooms can be removed in the wintertime in an effort to save on costs. Skluzacek will bring back more information at a future meeting.

9. NEXT MEETING

The next regular meeting of the Parks Commission is set for Wednesday, March 13th, 2024, at 6:00 PM at City Hall in the Council Chambers.

10. ADJOURNMENT

It was moved by West and seconded by Jones to adjourn the meeting at 7:01 p.m.
Motion carried: (4-0).

Respectively submitted by:

A handwritten signature in black ink, appearing to read "Jake Skluzacek". The signature is written in a cursive, flowing style.

Jake Skluzacek
Planner 1



Parks Commission Update

January 31, 2023

Parks & Trails

1. Future Park Facility Funding

The Commission will continue the discussion regarding the creation of a future park facility funding plan using non-traditional funding sources. The goal being that the Parks Commission will develop a funding recommendation for future Parks facilities. The Local Taxes Advisory Task Force are in the process of providing recommendations relating to possible legislation to allow local sales tax to support parks. Staff will continue to monitor any potential legislation as it relates to future park facility funding and relay those updates to the Commission as needed.

2. Pete's Hill Sign

Staff will continue to work on this project as time allows. Staff have performed a handoff of background and materials associated with the project and are expected to be presented later in 2024 following the wrap-up of several other high priority items.

3. Tree and Bench Donation Program

Staff will begin investigating a tree and bench donation program for the City. The Parks Commission will help define and clarify guidelines for the program. Materials associated with the program were presented at the January 10th Commission meeting. Following Commission feedback, a final draft of the program will be presented at the March 13th Commission meeting for a recommendation to the City Council.

4. Public Works Update

- The Playground equipment has arrived for Woodcrest Park. Installation of the equipment and removal of the existing climbing structure is scheduled for Spring.
- The playground equipment has arrived for Boulder Heights Parks. Installation of the equipment is scheduled for Spring.
- Public Works Staff has prepped the City's hockey rinks prior to the ice season. The rinks were active prior to the rise in temperature experienced in the later half of the month.
- Garbage has been being dumped into the dumpster at Wagner Park. Public Works Staff have installed a "NO DUMPING ALLOWED VIOLATORS WILL BE PROSECUTED" sign next to the dumpster on the Police Department's request.

Recreation

5. Field and Facility Reservation System

Staff shared various reservation options at the Parks Commission January 10th meeting. The Parks Commissioners will help to define and clarify Elko New Market’s field and facility reservation guidelines and fee schedule further following a final draft of a policy to be shared at the March 13th Commission meeting.

Community

6. No Updates

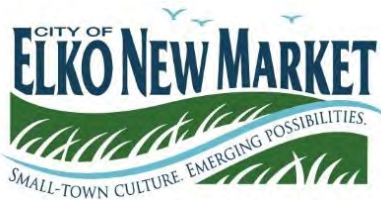
Upcoming Meeting

The next Parks Commission Meeting will be:

Date: Wednesday, March 13, 2024

Time: 6:00 PM

Location: City Hall, Council Chambers



STAFF MEMORANDUM

SUBJECT:	Council Discussion - Old Police Department Building
MEETING DATE:	February 8, 2024
PREPARED BY:	Thomas Terry, City Administrator
REQUESTED ACTION:	Council discussion and direction.

COMMUNITY VISION:

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BACKGROUND:

The Elko New Market Police Department building is a one-story structure enclosing approximately 3,500 square feet. The building formerly served as a school, Elko City Hall and Post Office before it was occupied by the Police Department. The building includes an original structure and an addition off the southwest corner. The date of construction of either section is not known. It was reported that the original structure was likely built circa 1900 and it is suspected that the addition was built in the 1970-80's.

In the early part of the last decade, the decided on a phased remodeling of the building for continued use as the Police Department. The work was planned to be phased over a few years.

- Phase 1 – Make Police Station Handicapped Accessible - handicapped accessibility improvement to the front entrance was completed in late 2013
- Phase 2 – Construct Police Garage - completed in late 2014 along with paving the parking lot
- Phase 3 – Tuckpoint Exterior of Building - completed in Spring/Summer of 2015
- Phase 4 – Interior Improvements to Meet Code, OSHA, and ADA Standards

All phases of the work were intended to be completed within a few years, In 2019, the City sought to move forward and complete the Phase 4 work. However, during the initial design effort, it was determined that it was a better alternative to relocate the Police Department to an addition to

City Hall. It was then decided to complete mold remediation and structural work on the old Police Department building to preserve it as an asset until it could be repurposed. Demolition of interior walls was also completed in preparation of future remodeling. The work was completed in 2021. Significant additional work on the building will be required to repurpose it. The former Police Department garage is currently being leased to Hope For The Community food shelf and the main building is being used for storage in the interim.

While the Council has not made a final decision regarding the future use of the structure, repurposing the building as some form of community space has been frequently discussed. However, to date, the City has not undertaken any official effort to determine the future use, design, or estimated cost for the remodel.

DISCUSSION:

Councilmember Berg is requesting that the Council determine its interest in a discussion regarding the future of the Old Police Department building.