



**Meeting of the City Council  
Held at the Elk River City Hall  
Monday, March 16, 2026**

Members Present: Mayor John Dietz, Councilmember Cory Grupa, Councilmember J. Brian Calva, Councilmember Mike Beyer, Councilmember Jennifer Wagner

Members Absent: None

Staff Present: City Administrator Cal Portner, City Attorney Jared Shepherd, Business Services Director/Assistant City Administrator Joe Stremcha, Community Development Director Zack Carlton, Engineering Project Manager Ryan Sandhoefner, IT Manager Seth Calvin, and Records Specialist Dawn Robertson

Other: Elk River Municipal Utilities Sara Youngs and Parker Theisen

1. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:06 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

**Moved by Councilmember Wagner and seconded by Councilmember Calva to approve the agenda. Motion carried 5-0.**

4. CONSENT AGENDA

**Moved by Councilmember Beyer and seconded by Councilmember Grupa to approve the following consent items as outlined in their respective staff reports. Motion carried 5-0.**

4.1 Check Register

4.2 Resolutions 26-19 and 26-20 Donations Received for Parks and Recreation

4.3 Resolution 26-18 Commitment of Local Match to Northstar Business Park Infrastructure Project

4.4 Northbound and Fire Station #1 Subcontractor Qualifications (RFQ)

4.5 FT Center - Commercial Fabric Curtains for The Yard

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4.6 2025 Local Weed Inspector Annual Report

4.7 171st Avenue Crossing Surface Agreement 26-09 with BNSF

4.8 MOU Agreement 26-10 with Met Council for Transportation Planning

4.9 Hire City Clerk

5. OPEN FORUM

Senator Eric Lucero provided legislative updates. He stated the legislature is in the 4th week of the session, and all bills need to be in by the end of next week, or they are considered dead for the year. Important topics in legislation currently are fraud and illegal immigration. The Senator shared other topics currently in legislation.

Councilmember Wagner asked the senator where the state is in their decision on the Housing Finance and Policy Committee regarding the state wanting to control zoning for cities. Senator Lucero stated he is aware that discussions on that topic have been happening; however, there have been no bills scheduled.

Councilmember Calva asked if there is a possibility of the state reconsidering the current flag design. The Senator shared the history behind the design of the current state flag and stated that if they did redesign the flag, he would push for a redo of the design and implementation process.

[sne.eric.lucero@mnsenate.gov](mailto:sne.eric.lucero@mnsenate.gov)

6. PRESENTATIONS, AWARDS, AND RECOGNITION

6.1 City of Elk River Volunteer of the Month

Mayor Dietz presented the Volunteer of the Month award to Bob Mord, highlighting the following:

- Led the Memorial Day committee for 30 years
- Helped start a Veterans Day program at Parker Elementary
- Former chair of St. Andrew's Parish Festival and served on the parish council
- Member of the Knights of Columbus
- Worked on the Committee at Elk River American Legion Post 112
- Serves as the leader of the bridge group at the Elk River Senior Activity Center.

6.2 Sister City Representative - Max Fetisov

Max Fetisov is visiting from Ukraine with his wife and friend. Mr. Fetisov talked about living in Ukraine during the war and the challenges they have been facing. Mr. Fetisov shared that the people of Dnipropetrovsk feel encouraged by Elk River accepting them as a sister city.

7. PUBLIC HEARINGS

7.1 Plat of Heinen Estates, April Heinen - 21446 Brook Rd NW

The staff report was presented.

**Moved by Councilmember Grupa and seconded by Councilmember Calva to receive comments and continue the public hearing to April 20, 2026. Motion carried 5-0.**

7.2 Conditional Use Permit: Mineral Extraction Boundary Area Expansion, Knife River — 11650 225th Ave NW

**Moved by Councilmember Calva and seconded by Councilmember Grupa to approve the Conditional Use Permit with the following conditions:**

1. **This Conditional Use Permit authorizes mineral excavation (gravel) and the operation of a washing plant.**
2. **All mineral excavation and processing operations on the property shall comply with the City's Mineral Excavation, Zoning and other applicable ordinances; with the terms of this Conditional Use Permit agreement and the license agreement to be executed by the City and Operator; with the City of Elk River's Environmental Impact Statement on Mineral Excavation; and with the application materials and plans submitted by the Operator, which plans and materials are the basis for the City's approval of the Conditional Use Permit.**
3. **The Operator shall orally notify the City of any violations of this permit within 24 hours and follow this with notification in writing within four (4) working days of the violation. The Operator shall notify the City annually in writing of the total area and amount of material mined and projected estimates of area and amount of material to be mined in the following year. This is to be done at the time of license renewal.**
4. **The license shall be renewed annually and shall run from June 1<sup>st</sup> through May 31<sup>st</sup>. The annual license fee is that which is specified by the Elk River City Council at the time of renewal. This license fee is not in lieu of gravel tax collected by the County, a portion of which the City receives.**
5. **Violations of this Conditional Use Permit may result in suspension or revocation.**
6. **The City Environmental Administrator and/or his/her agents shall be permitted to inspect the Operation for compliance with the conditions of this permit during normal hours of operation.**
7. **The City's approval of this Conditional Use Permit is subject to the approval of appropriate permits by other governmental agencies.**
8. **No explosives shall be allowed for this operation.**

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**9. Reclamation:**

- a. Reclamation shall be implemented on an annual basis pursuant to the reclamation plans submitted by the Operator.**
- b. Each year a plan for that year's reclamation shall be approved by the Environmental Administrator prior to issuance of the annual mineral excavation license.**
- c. The reclamation shall include topsoil from the site being preserved and put back into place after mining.**
- d. Re-vegetation of the property shall include seeding with a mixture approved by city staff accompanied by a nurse crop or approved mulch. The vegetation established for the reclamation must be maintained until it is self-sufficient.**
- e. Contours, finished grades, details of erosion control methods, and settling ponds, shall comply with the plans submitted and the City ordinance at the time of reclamation. Additional measures as determined by city staff may be required.**

**10. Traffic:**

- a. Except for localized jobs, traffic through Elk River associated with the Operation shall be limited to U.S. Highway 10 and 169. The Operator will route traffic from the Operation to 225<sup>th</sup> Ave NW west to the Highway 169 interchange as directed by the Minnesota Department of Transportation or the City of Elk River.**
- b. The number of trucks per day is limited to 35 unless prior approval is given by the Environmental Administrator for special cases.**
- c. As deemed necessary by the Minnesota Department of Transportation and the City of Elk River, any required improvements to the highway intersection must be constructed prior to the operation of the HMA.**
- d. As deemed necessary by the City of Elk River, any required improvements to 225<sup>th</sup> Ave NW must be constructed prior to the operation of the HMA.**

**11. Dust Control:**

- a. A permit from MPCA regarding air emissions shall be obtained when required and particulate emission standards shall be met by the operation. This permit and all other correspondence between the Operator and MPCA shall be copied to the City.**
- b. All equipment shall be located as to reduce dust to adjacent properties.**
- c. A water truck shall be on site at all times when mining activities are taking place to control dust as necessary. Chemicals shall not be used for dust control.**
- d. A minimum of 100 feet must be paved from 225<sup>th</sup> Ave NW into the pit.**
- e. The City reserves the right to require additional measures to be taken, if warranted by dust problems, including but not limited to reducing stockpile heights.**

**12. All mineral excavation, processing, and sales activities shall be conducted between the normal hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday.**

**13. Noise:**

- a. As deemed necessary by city staff, noise from screening and crushing associated with this operation shall be controlled by equipment location on**

- site, the erection of sound barriers, the placement of stockpiles, and the type of equipment used.
- b. Noise levels associated with this operation shall at no time exceed State standards.
  - c. The City reserves the right to require additional measures be taken, if warranted by noise.
14. Lighting from the Operation shall be directed away from adjacent residential property. Glare, whether directed or reflected as different from general illumination, shall not be visible beyond the limits of the immediate site. All sources of artificial light shall be so fixed, directed, designed, or sized that the minimum subtotal of their illumination shall not increase the level of the illumination on nearby residential property by more than .1 foot candles in or within twenty-five (25) feet of a dwelling, or more than 0.5 foot candles on any part of the adjacent property.
15. The piling, storing, or keeping of old machinery, junk, debris, or abandoned motor vehicles, shall be prohibited on this site, with the exception that reusable parts may be stored on the mineral excavation site provided that it is in a location that cannot be viewed from adjacent properties or is totally screened.
16. Mining activities shall not cause excessive vibration off site. If excessive vibration becomes an issue, the City reserves the right to take appropriate measures to alleviate the problem.
17. Groundwater protection measures shall include:
- a. The Operator shall file with the City an Emergency Spill Prevention and Counter Control Plan and a Storm Water Pollution Prevention Plan as may be required by other governmental entities. The Operator shall adhere to these plans in the event there is a spill.
  - b. The Operator shall provide the Fire Department with a copy of their flammable or hazardous materials.
  - c. Fuel tanks shall be above ground, properly diked (if required by law), and registered with MPCA.
  - d. All incidences that have the potential to adversely affect groundwater, including but not limited to spills, shall be verbally reported to the City within 24 hours. This verbal notification shall be followed up in writing within four (4) working days.
  - e. The appropriate storm water permits (NPDES) shall be obtained by the Operator from MPCA and copied to the City.
  - f. Stockpiles of recycled asphalt must not be placed in surface water and run-off from these stockpiles shall be directed away from surface waters. Further, the size of the stockpiles is limited to the amount of material that can be used in one year, but need not necessarily be used in one year and can be stored over winter.
  - g. The wells located at the site shall be monitored once a year for diesel range organics (DRO). Mining activities shall not take place closer to groundwater levels than indicated in the plans submitted without amending this conditional use permit. However, if mining is proposed to occur below the water table in the future, the above-referenced wells shall be monitored for DRO prior to excavation activities commencing and after their cessation each year. Further, in the event of a spill, appropriate water tests (as



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- c. **Measure and record water elevations at the monitoring well(s) within approximately one week of initiating pumping of water from the dug pit for washing, mid-way during washing and within one week upon cessation of washing operations.**
  - d. **Conduct water quality testing of samples collected from monitoring well(s) for diesel range organics (DRO), BETX, pH (field), temperature (field) and specific conductance (field) prior to and at the cessation of washing operations on an annual basis.**
  - e. **In the event of a spill, washing operations should be terminated until such time that the extent and potential impact of the spill can be determined through testing as determined necessary by the City.**

**Motion carried 5-0.**

8. GENERAL BUSINESS

Councilmember Beyer stepped out during this time due to a conflict of interest during the discussion.

8.1 Conditional Use Permit: Educational Institution, Good Shepherd Lutheran High School — 630 Freeport Ave NW

**Moved by Councilmember Grupa and seconded by Councilmember Calva to continue the review of the resolution making Findings of Fact denying the CUP application to April 6, 2026. Motion carried 4-0 with Councilmember Beyer Abstaining.**

8.2 Select Consultant for the 2026 Zoning, Development Code, and General Ordinance Update

The staff report was presented.

**Moved by Councilmember Wagner and seconded by Councilmember Beyer to approve the selection of Bolton and Menk for the 2026 Zoning, Development Code, and General Ordinance Update. Motion carried 5-0.**

Councilmember J. Brian Calva volunteered for the commission.

9. MOTION TO ADJOURN REGULAR MEETING

**Moved by Councilmember Beyer and seconded by Councilmember Calva to adjourn the meeting of City Council. Motion carried 5-0.**

The meeting adjourned at 6:44 p.m.

10. WORK SESSION

Mayor Dietz called the work session to order at 6:49 p.m.

10.1 Consider Topics for Staff/Council Retreat

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Mr. Portner shared with the Council the topics that will be discussed at the scheduled Council Retreat.

Additional topics Councilmembers would like to add for consideration:

- Rapp Strategies Communication Group
- Consistent updates of larger city projects
- Commercial build potential on the north side of Hwy 10
- The speed on Hwy 169
- How to ensure Elk River doesn't become a drive-through town
- Population growth

#### 10.2 IT Services MOU with ERMU

Mr. Stremcha shared the IT services agreement between the city and ERMU. The agreement shows the IT services and mutual aid that the city and ERMU have together.

Staff will have the agreement on the April 6th consent agenda for Council approval.

#### 10.3 IT Server Replacements

The staff report was presented.

Mr. Stremcha shared that Microsoft servers will no longer be supported in January 2027. Staff stated that an upgrade to Windows Server 2025 is needed. Funds need to be allocated to IT for the upgrade. Roughly 480k to upgrade. Elk River Municipal Utilities will be contributing to the cost of repairs and replacements of the servers. City IT staff and ERMU IT staff will help with installation to make it more cost-effective. They plan to meet more frequently and continue evaluating the quotes they have received to figure out the best options.

The Council's consensus is to complete evaluations for the best option and put it on a future Council agenda.

#### 10.4 Downtown Reconstruction Street Layout

The staff report was presented.

Mr. Sandhoefner shared with the Council that the parking lot consultant will post for bids on April 14th to finish the parking lot before the Farmer's Market opens. With the final parking lot spot count now available, he asked for the Council's feedback on parallel and angled parking downtown.

Councilmember Wagner expressed concerns that the proposed sidewalk size and parallel parking in the phase 2 design are not the right concept for downtown. She believes that changing it won't make downtown a destination, it will put businesses at risk, and they will leave if the roads and sidewalks are completely ripped up for a long period of time. Mr. Sandhoefner shared that the goal would be to minimize business closures as much as possible. Mr. Sandhoefner shared other parking design options, such as angled parking in some areas and parallel parking in others.

The Council directed staff to create a design with the sidewalks wider on the south side of Main Street, keeping the north sidewalks the same width as they currently are, and keeping the parking structure the

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same as it currently is. The Council is in consensus about adding parallel parking on both sides of Jackson Ave. They also want a breakdown of the cost and timeline.

#### 10.5 Engine Braking Limitations

The staff report was presented.

Mr. Sandhoefner explained to the Council that MnDOT handles making all signs for the stretch of Hwy 169 where engine braking is referenced; the cost is \$1,721 per sign, and requires an ordinance to be implemented if the city puts those signs up. Depending on which highways the city wants signs placed on, the county may need to provide signs, and the city would need to follow similar ordinances that MnDOT requires.

The Council has decided not to take action on the issue because of the cost and enforcement requirements.

#### 11. MOTION TO ADJOURN

**Moved by Councilmember Grupa and seconded by Councilmember Calva to adjourn the meeting of City Council. Motion carried 5-0.**

The meeting adjourned at 8:11 p.m.

Minutes prepared by Dawn Robertson

#### 12. INFORMATION

##### 12.1 February Financial Reports



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John J. Dietz, Mayor

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Jolene Richter, Deputy City Clerk