



**Meeting of the City Council
Held at the Elk River City Hall
Monday, March 17, 2025**

Members Present: Mayor John Dietz, Councilmember Jennifer Wagner, Councilmember Mike Beyer, Councilmember Cory Grupa

Members Absent: Councilmember J Brian Calva

Staff Present: City Administrator Cal Portner, City Attorney Jared Shepherd, Senior Planner Chris Leeseberg, Business Services Director/Assistant City Administrator Joe Stremcha, Public Works Director/Chief Engineer Justin Femrite, Community Development Director Zack Carlton, and City Clerk Tina Allard

I. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

Moved by Councilmember Wagner and seconded by Councilmember Beyer to approve the agenda. Motion Carried 4-0.

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 4-0.

4.1 March 3, 2025, Minutes

4.2 Check Register

4.3 Library Floor Proposal

4.4 Termination of Employment

4.5 Athletic Facilities Framework Plan

4.6 Collective Bargaining Agreement 25-02 - Law Enforcement Labor Services (LELS) #589

5. OPEN FORUM

No one appeared for Open Forum.

6. PRESENTATIONS, AWARDS, AND RECOGNITION

There were no awards or recognitions.

7. PUBLIC HEARINGS

7.1 Conditional Use Permit: Outdoor Storage of Vehicles and Equipment, PID 75-00013-4405, Northstar Trucking & RV Parking LLC

The staff report was presented.

Mayor Dietz opened the public hearing. There being no one to speak to this matter, Mayor Dietz closed the public hearing.

The Council asked the following:

- Were there any conditions that were not met with the current conditional use permit. Staff noted the curb and gutter and fencing were not completed.
- Whether the new permit would be void on November 1 if the applicant does not meet all the deadlines. Counselor Shepherd stated the city would need to follow through with the revocation process once the permit is recorded, but all the conditions need to be taken care of before recording the permit.
- If any of the vehicles would have hazardous waste or garbage trucks stored on site. Applicant Nikolay Vladyka, 11824 Winnetka Avenue, Champlin, MN, stated they will not have hazardous materials and will not allow oil changes on the property.

The Council asked staff to provide an update of the action taken following the City of Ramsey Council meeting.

Moved by Councilmember Wagner and seconded by Councilmember Grupa to approve the Conditional Use Permit with the following conditions to satisfy the standards set forth in Section 30-654:

- 1. Outdoor storage shall be allowed for only the following vehicles:**
 - a. Properly licensed, registered, and operable;**
 - b. Semi-trucks, semi-trailers, and other delivery trucks;**
 - c. Motor vehicles;**
 - d. Recreational vehicles, campers, motor homes, and fifth-wheel trailers;**
 - e. Trailers;**
 - f. Boats;**
 - g. Light and heavy equipment;**
 - h. Enclosed shipping containers; and**
 - i. Cars and trucks.**
- 2. Vehicle Wrecking Yards and Salvage Yards, as defined by the City of Ramsey, and Salvage Yards, as defined by the City of Elk River, shall not be permitted.**

3. **Outdoor storage of products, equipment, materials, supplies, debris, or any vehicles not properly licensed, registered, or operable is not permitted, except for snow removal equipment and supplies for the site in conformance with the applicable municipality's regulations.**
4. **If any violations of condition #3 are documented more than once in a calendar year, in either jurisdiction, the Conditional Use Permit will be brought to the City Council for direction on revocation.**
5. **Motor vehicle, trailer, and boat sales are prohibited.**
6. **Car dealer overflow parking is prohibited.**
7. **Approvals from the City of Ramsey shall be recorded, and copies provided.**
8. **Schedule a site visit with the Building Official and Fire Marshal to review and complete any required code updates by November 1, 2025.**
9. **All driving and parking areas shall be paved with an approved surface (bituminous, Class 5, or concrete) by November 1, 2025.**
10. **Stripe the parking lot as shown on the city site plan dated March 17, 2025, by November 1, 2025.**
11. **Drive lanes need to maintain a minimum of 24-foot width throughout the site.**
12. **All driving areas and outdoor storage/parking areas shall be bound by B612 concrete curb and gutter by November 1, 2025.**
13. **A reinforced concrete strip, a minimum of one (1) foot wide and centered on the property line, must be installed and maintained along the city/county border to clarify any relevant jurisdictional issues by November 1, 2025.**
14. **Site lighting shall comply with Section 30-937 by November 1, 2025.**
15. **Update submitted plans as needed to demonstrate compliance with state and local stormwater management requirements across both parcels/jurisdictions by November 1, 2025.**
16. **Submit documentation showing compliance with all Minnesota Pollution Control standards by November 1, 2025.**
17. **A 6-foot-tall, 100% opaque privacy fence shall be installed along the north property lines by November 1, 2025.**
18. **A temporary guard shack no larger than 200 sq.ft. shall be allowed in Elk River until November 1, 2025. The location shall be approved by city staff.**
19. **This Conditional Use Permit (CU 24-21) must be recorded by November 1, 2025, or the operation on the property must cease.**
20. **A 200 sq.ft. guard shack/office shall be allowed in Elk River, and will require all necessary commercial building permits and meet the required setbacks.**
21. **There shall be no repair or maintenance of any vehicles, trailers, or boats on the site.**
22. **The idling of a truck tractor or other business equipment in excess of 15 minutes is prohibited from April 16 through October 31, and idling in excess of 30 minutes is prohibited from November 1 through April 15.**
23. **In the event a gate is installed, access to the property must include key boxes for both Elk River and Ramsey Fire Departments.**
24. **If either parcel is owned separately or one municipality revokes its approval, each parcel will need to conform to each jurisdiction's ordinance and codes individually, including, but not limited to, stormwater ponds, setbacks, screening, curbing, and landscaping.**
25. **An amendment to this Conditional Use Permit will be required for future expansions/additions not shown on the city site plan dated March 17, 2025.**

26. Conditional Use Permit, case number CU 23-16, shall become void.

Motion Carried 4-0.

7.2 Conditional Use Permit: Outdoor Storage, 12777 Meadowvale Rd. NW, Elk River WinLEctric
The staff report was presented.

Mayor Dietz opened the public hearing. There being no one to speak on this matter, Mayor Dietz closed the public hearing.

Moved by Councilmember Grupa and seconded by Councilmember Beyer to approve an amendment to the Conditional Use Permit (CU 22-11) extending the condition's deadline until July 1, 2025, with the following conditions:

- 1. The property shall comply with Section 30-807 regarding outdoor storage.**
- 2. All outdoor storage must occur within fenced-in areas.**
- 3. All temporary outdoor storage structures shall be removed from the property by July 1, 2025.**
- 4. All areas utilized for outdoor storage must be completely screened from view from all public rights-of-way by July 1, 2025.**
- 5. No product can be stored higher than the top of the fence.**
- 6. The parking lot shall be striped by July 1, 2025.**
- 7. An amendment to this Conditional Use Permit will be required for any future changes.**

Motion Carried 4-0.

7.3 Preliminary Plat, Resolution 25-09 for Final Plat, and Ordinance Amendment 25-02 to Establish a PUD: The Villas at Fillmore Third Addition, PID 75-00931-0030, Riverside Development

The staff report was presented.

Mayor Dietz opened the public hearing. There being no one to speak on this matter, Mayor Dietz closed the public hearing.

The Council questioned who would own and be responsible for maintaining the sanitary lift station. Mr. Carlton confirmed it would be under private ownership and the homeowner's association would be responsible for it.

Moved by Councilmember Beyer and seconded by Councilmember Grupa to adopt Ordinance 25-02 codifying and updating the Planned Unit Development for The Villas at Fillmore, subject to City Council's approval of the Preliminary and Final Plat for The Villas at Fillmore Third Addition. Motion carried 4-0.

Moved by Councilmember Grupa and seconded by Councilmember Beyer to approve the preliminary plat for The Villas at Fillmore Third Addition, with the following conditions:
1. Council approval of the ordinance amendment approving the PUD changes.

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- 2. A Water Availability Charge for each lot must be paid before connection to the municipal water system.**
 - 3. A tee will need to be installed for each connection to the existing HDPE water main; tapping HDPE pipe will not be permitted.**
 - 4. Compliance with the City of Elk River Engineering Design Standards is mandatory for all planning and construction activities.**
 - 5. The development agreement must include reimbursement for the water main extension that was installed along Fillmore Street in 2022 and paid for by ERMU in the amount of \$44,590.**
 - 6. The sanitary sewer will be privately owned/maintained.**
 - 7. The storm pipe will be privately owned/maintained as it captures only storm water from the private street.**
 - 8. Extend sewer and water stubs to easement line.**
 - 9. All retaining walls will be privately owned and maintained by the property owners or HOA. This must be noted in the plans.**
 - 10. The developer will need to install one to two pipe crossings under the private road. ERMU will provide the pipe and location of crossings when ready.**
 - 11. Electrical service for the lift station is considered commercial. The developer will need to provide a secondary electric service.**

Motion carried 4-0.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to adopt Resolution 25-09 approving the final plat of The Villas at Fillmore Third Addition, with the following conditions:

- 1. Council approval of a Development Agreement outlining the responsibilities of the developer.**
- 2. Water Availability Charge shall be paid in the amount required by the city when the final plat is released for recording (currently \$390/plumbing unit).**
- 3. A Letter of Credit shall be provided to the city in the amount of 100% of the costs of the public improvements.**
- 4. Upon completion of all improvements and acceptance by the city, a security or warranty in a form acceptable to the public works director must be secured.**
- 5. The Development Plan shall be approved by the public works director prior to the issuance of building permits.**
- 6. Staff approval of all site, civil, and landscaping plans.**
- 7. Park dedication shall be paid for six low-density parcels at the rate applicable at the time of recording.**
- 8. Any item or condition found that indicates the site is likely to yield information important to pre-history or history shall be reported to the city immediately. Further, the city reserves the right to stop work authorized in its approval until the site is appropriately investigated and work is authorized.**

Motion Carried 4-0.

- 7.4 Ordinance Amendment 25-03: Sign Standards and Codification of the PUD, Elk River Crossing Planned Unit Development, Tractor Supply.
Resolution 25-10 for summary publication of the ordinance.

The staff report was presented.

Mayor Dietz opened the public hearing. There being no one to speak to this matter, Mayor Dietz closed the public hearing.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to adopt Ordinance 25-03 amending the sign standards and codifying the development standards for the Elk River Crossing Planned Unit Development. Motion Carried 4-0.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to adopt Resolution 25-10 for summary publication of the ordinance. Motion Carried 4-0.

7.5 Land Use Amendment, Zone Change, and Ordinance Amendment: Specht Family Farm Development (PUD), 16330 US Highway 10, Capstone Homes

The staff report was presented.

Mayor Dietz opened the public hearing. No one spoke on the matter.

Moved by Councilmember Beyer and seconded by Councilmember Grupa to continue the hearing to April 7, 2025. Motion Carried 4-0.

7.6 Resolution 25-11: Easement Vacation for 13566 185th Ave NW, Kwik Trip

The staff report was presented.

Mayor Dietz opened the public hearing.

Raymond Miller, 18633 Lander Street, discussed past drainage issues behind his and his neighbors' properties and is concerned about future water issues. He expressed concerns about landscaping (tree height), noise mitigation, beautification, and security.

Lisa Wadsen, 9900 Delridge Road, representative of Kwik Trip, stated there will be two stormwater ponds on the site.

Mayor Dietz closed the public hearing.

Moved by Councilmember Wagner and seconded by Councilmember Grupa to adopt Resolution 25-11 vacating drainage and utility easements subject to the condition that the lot combination is recorded prior to the vacation resolution. Motion Carried 4-0.

8. GENERAL BUSINESS

There was no General Business.

9. MOTION TO ADJOURN REGULAR MEETING

Moved by Councilmember Beyer and seconded by Councilmember Grupa to adjourn the meeting of City Council. Motion Carried 4-0.

The meeting adjourned at 6:40 p.m. The worksession convened at 6:43 p.m.

10. WORK SESSION

10.1 Specht Farm Development Proposal: Captstone Homes

Highway Funding Discussion

Mr. Femrite discussed cost-sharing for the highway access improvement. He stated MnDOT is not in a position to design or administer a project at this time, and there is currently no state funding available. He stated they have reached out to Representative Novotny to inquire about legislative assistance.

The City Council, staff, and the developer discussed the timeline and funding. Council members expressed the following concerns:

- Because the developer is purchasing property in phases, what if they walk away from finishing any further phases. How do we know this highway will be completed beyond phase one of the developer's project? Mr. Femrite stated that when granting a temporary access permit, MnDOT will require assurances to be in place before there is a phase two. The developer also stated it is typical to purchase in phases for large tracts of land similar to this project, and they would initially be installing \$1.5 million in water and sewer improvements with this first phase, which motivates them to be committed to the project.
- The city's portion of paying for the interchange versus the developer's portion.
- The highway is a safety issue that MnDOT agrees with, so why can't MnDOT pay? Mr. Femrite stated that MnDOT budgets are set for many years but can change based on federal funding or special appropriated dollars from the legislature.

Mr. Femrite stated that the best way to get the state involved with this project is to work through the legislature, and they will continue to work towards this. He further stated to keep this project moving forward, they need to hire a consultant, and the city should have an agreement with Capstone, so everyone understands the process and costs.

Park Dedication

Parks and Recreation Commission Chair Dave Anderson reviewed the action of the commission's meeting as outlined in the staff report. Since the commission meeting, the developer has asked for changes. Mr. Carlton outlined the developer's request to establish the cash dedication rate, the city to partner with the developer to have recreational amenities installed (so instead of paying some cash to the city, the developer could install the equipment), and the desire to have a homeowners association-owned approximately 3.5 acre private park with a dock on the river.

After much discussion between the City Council, staff, and the developer, the following was concurred on by the City Council:

- The developer will provide the low area to the city as park dedication, and 50% credit will be given, except for the private park location.
- There will be one acre of useable upland located in the orange area shown on the map.
- The developer will install the trail portions highlighted in yellow on the map.

- The developer will provide engineering and design standards for the trail shown in purple on the map.
- Cash dedication will be for \$536,000.

The Council asked that this item be on the next Council agenda for review.

10.2 Overlook Chef Job Description

The staff report was presented. Mr. Stremcha noted staff has had more time to evaluate the position and feels food preparation is a needed component.

The Council concurred on changing the position description. They also commented that the staff are working a lot of hours and doing a great job.

10.3 Council/Staff Annual Retreat Discussion Items

Mr. Portner asked the Council to provide him with topics they'd like to discuss at the annual retreat meeting. He listed the following topics:

- Fire Station Funding
- Parks Master Plan
- Gravel Roads

The Council added the following:

- Personality Refresher
- Landfill Fund
- Cannabis Store
- Growth Goals for Residential/Industrial/Retail
- Department of Transportation Items: Speeds, Off-Ramp Striping, Traffic Calming
- Safety of Council Chambers and Front Desk
- Street Legal ATVs
- Downtown Plan Update

II. MOTION TO ADJOURN

Moved by Councilmember Beyer and seconded by Councilmember Grupa to adjourn the meeting of City Council. Motion Carried 4-0.

The meeting adjourned at 8:32 p.m.

Minutes prepared by Tina Allard.



John J. Dietz, Mayor



Tina Allard, City Clerk