



**Meeting of the City Council
Held at the Elk River City Hall
Monday, April 21, 2025**

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

Members Absent: None

Staff Present: City Administrator Cal Portner, City Attorney Jack Brooksbank, Business Services Director/Assistant City Administrator Joe Stremcha, Public Works Director/Chief Engineer Justin Femrite, Community Development Director Zack Carlton, and Records Specialist Katie Porath

1. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:01 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

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

4. CONSENT AGENDA

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

4.1 April 7, 2025, Minutes

4.2 Check Register

4.3 Resolution 25-14: Purchase Agreement 25-05 for Parcel 75-00131-2100

4.4 2025 Ford F-550 Street Division Chipper and Patch Tow Vehicle Replacement

4.5 2025 Mack Plow Truck Replacement

4.6 Resolution 25-15: Summary Publication of Ordinance 25-02

5. OPEN FORUM

5.1 Open Forum

Eric Lucero, Minnesota State Senator, gave an overview of upcoming legislative initiatives. He serves on the education, finance, elections, and housing committees.

Mayor Dietz asked if there was a bill for local sales tax. Senator Lucero responded that he was not on the tax committee and wasn't aware of this bill.

Councilmember Calva asked about less expensive options for the Capstone development's access onto Highway 10. Senator Lucero stated that the decision would be under the jurisdiction of the transportation committee.

Senator Lucero shared his contact information sen.eric.lucero@mnsenate.gov.

Jenny Erickson, Elk River, stated ISD #728 school district intends to get rid of the Little Theater. She is asking for non-financial support from the council to preserve the theater. She distributed a signed petition and letters from those impacted.

6. PRESENTATIONS, AWARDS, AND RECOGNITION

6.1 City of Elk River Volunteer of the Month

Mayor Dietz presented the April Volunteer of the Month award to Carol Scheffler. He highlighted the following:

- Helped start a free monthly community meal four years ago at Emmanuel Lutheran Church, serving more than 300 on the second Sunday of each month.
- Plans the meals, purchases the food, does the set-up and prep cook, lines up the volunteers, and does the cleanup for the monthly meals.
- President of the Women's Missionary League at her church.
- Past Sunday school and confirmation teacher.
- Periodically volunteers at Feed My Starving Children.
- Regular blood donor to the American Red Cross.

6.2 Heritage Preservation Commission Annual Update

Commission Chair Lance Lindberg gave an update on the Heritage Preservation Commission. Recent accomplishments include videos by current and former commissioners Zack Griffiths and Tony Mauren, discussions on interpretive kiosks for the water tower, Bailey Point, and the Handke Pit, a booth at the Farmer's Market, working with the Chamber of Commerce on History Days, as well as sending a commission member to the Preserve Minnesota Conference.

7. PUBLIC HEARINGS

7.1 Resolution 25-16: Plat of Elk Hills Second Addition, 841 Line Ave, All Day Companies

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 Calva and seconded by Councilmember Grupa to approve the preliminary plat of Elk Hills Second Addition, subject to the following conditions:

- 1. The wetland boundary is to be updated upon receiving formal approval of the delineated boundary. The boundary shown on the plat must reflect the TEP approval.**
- 2. Any development of Lot 2 will require connection to city utilities.**
- 3. The street name along the west lot line must be updated to Line Avenue.**

Motion carried 5-0.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to adopt Resolution 25-16 approving the final plat of Elk Hills Second addition, subject to the condition that Park Dedication shall be paid for one lot at the applicable rate when the plat is released for recording. Motion carried 5-0.

7.2 Resolution 25-17: Plat of Ridgewood Hills Second Addition, 10038 215th Ave, Greg Petersen

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.

Mayor Dietz asked if the plan was to build a group home. Mr. Carlton explained that these motions do not approve building a group home.

Councilmember Grupa asked if it would increase traffic enough to add a stop sign.

Moved by Councilmember Wagner and seconded by Councilmember Beyer to approve, by motion, the preliminary plat of Ridgewood Hills Second Addition. Motion carried 5-0.

Moved by Councilmember Grupa and seconded by Councilmember Calva to adopt Resolution 25-17 approving the final plat of Ridgewood Hills Second Additions with the following Conditions:

- 1. Park Dedication Fees shall be paid for one dwelling unit at the rate applicable when the subdivision is released for recording.**
- 2. The developer shall extend 215th Ave to the western end of the plat. The road shall end at a cul-de-sac, built to city standards.**
- 3. Council approval of a Development Agreement outlining the responsibilities of the developer.**
- 4. A Letter of Credit shall be provided to the city in the amount of 100% of the costs of the public improvements.**
- 5. 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. Motion carried 5-0.**

7.3 Resolution 25-18 Easement Vacation and Resolution 25-19 Plat: Carlson Meadow, PID 75-00784-0120, City of Elk River

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 Beyer and seconded by Councilmember Wagner to adopt Resolution 25-18 vacating the drainage and utility easements on Lot 2, Block 2, MISSISSIPPI RIDGE, and Lot 1, Block 1, MISSISSIPPI RIDGE SECOND ADDITION, subject to the condition that the plat of Carlson Meadow be recorded simultaneously. Motion carried 5-0.

Moved by Councilmember Grupa and seconded by Councilmember Calva to adopt Resolution 25-19 approving the final plat of Carlson Meadow. Motion carried 5-0.

8. GENERAL BUSINESS

8.1 Corridors of Commerce Readiness Advancement Solicitation

The staff report was presented.

Mayor Dietz asked if the plan was final or if changes could be made at a later date, particularly to the access restrictions. Mr. Femrite stated that changes can be made.

Councilmember Wagner asked for clarification on the area being included in the application.

Moved by Councilmember Beyer and seconded by Councilmember Wagner to approve the Corridors of Commerce Readiness Application. Motion carried 5-0.

9. MOTION TO ADJOURN REGULAR MEETING

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

The regular meeting adjourned at 6:48 p.m. Mayor Dietz called the work session to order at 6:54 p.m.

10. WORK SESSION

10.1 Multipurpose Facility Advisory Commission Ordinance Amendments

Mr. Stremcha stated that the Multipurpose Facility Advisory Commission met on April 7, 2025, and discussed changes to their commission reflected in ordinance amendment recommendations.

The Council agreed that the commission should receive budget amounts from Mr. Stremcha, give feedback on the proposed pricing changes, and provide information to the Council.

Mr. Portner added that there should be some changes to the wording of Item I regarding the commission reviewing their value statement and mission statement annually.

10.2 Concord Street Lake Access

Mayor Dietz explained to the Council that the city owns an easement for access to Lake Orono off of Concord Street. If the brush could be cleared and signage made, the easement could be used to launch non-motorized boats onto the lake.

Mr. Carlton will work with property owners who are encroaching on the property. Mr. Femrite will work with Public Works staff to get the brush cleared. Since the neighbor is currently maintaining the grass strip, it was decided not to put in a formal trail at this time.

10.3 Elk River High School Little Theater Status

Mayor Dietz reviewed some of the history of the Little Theater. When the original discussion took place in 2001, the Zabee Theater was not in existence, and the Elk River theater group was larger and more involved.

Councilmember Calva asked if we could prove that we don't own it. City Attorney Brooksbank stated that, without a written document, we have no proof that we own the Little Theater.

Mayor Dietz said ISD #728 indicated there was a maximum of three years before major renovations needed to be made, and the school district does not intend for it to remain a theater. Use of the space has not yet been decided.

The Council agreed that they appreciate having the theater and hope everything works out, but saving the theater was beyond the city's financial purview.

10.4 Sister City International Program

Councilmember Calva gave information on the city of Kryvyi Rih in Ukraine.

Mr. Portner stated the city would not need to be a formal member of Sister City International to be involved.

The Council asked for additional information.

10.5 Mississippi Road Trail Easement

Mr. Femrite gave an update on the missing pieces of the trail to the east. City Attorney Brooksbank described the condemnation process and the price being asked by the property owners versus that offered by the city.

Councilmember Wagner stated that the point of the trail was for safety, as County Road 30 is a dangerous road to walk on.

Mayor Dietz asked if the city gave them their asking price, could other property owners come back and ask for a higher amount? City Attorney Brooksbank stated they could not ask for a higher price if they

had already signed.

The Council agreed to stop the trail at Concord Street.

Mr. Femrite added that it is still a goal and desire for a future connection. The city may have another opportunity if Sherburne County works on that section of the road.

II. MOTION TO ADJOURN

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

The meeting adjourned at 7:44 p.m.

12. CLOSED MEETING - CITY OF ELK RIVER V. JOSEPH JOHN, CASE NO. 71-CV-24-1083

Council Present: Mayor John Dietz, Councilmembers J. Brian Calva, Cory Grupa, Mike Beyer, and Jennifer Wagner

Staff Present: City Administrator Cal Portner, Community Development Director Zack Carlton, and Records Specialist Katie Porath

Others Present: City Attorney Jack Brooksbank, Campbell Knutson

Mayor Dietz called the closed meeting to order at 7:45 p.m.

Mayor Dietz read the following statement:

12.1 Statement to be read by the Mayor:

"The City Council will be holding a closed meeting pursuant to MN Statute Section 13D.05, Subdivision 3(b) for a confidential attorney-client privileged discussion related to strategy in the matter of City of Elk River v. Joseph John, Case No. 71-CV-24-1083."

12.2 Motion Calling Closed Meeting

Moved by Councilmember Calva and seconded by Councilmember Beyer to open the closed meeting. Motion carried 5-0.

12.3 Hold Closed Meeting

12.4 Motion to Adjourn Closed Meeting

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

The meeting adjourned at 8:14 p.m.

Minutes prepared by Katie Porath.

13. INFORMATION

13.1 March Financial Reports

13.2 Investment Report - 1st quarter



John J. Dietz, Mayor



Tina Allard, City Clerk