



**Meeting of the City Council
Held at the Elk River City Hall
Monday, August 4, 2025**

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, Public Works Director/Chief Engineer Justin Femrite, Community Development Director Zack Carlton, Police Chief David Kuhnly, Streets Division Foreman Chris Teff, Wastewater Treatment Chief Operator Matt Stevens, Environmental Services and Projects Specialist Joe Hale, and Deputy Clerk Jolene Richter

I. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:45 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

Moved by Councilmember Grupa and seconded by Councilmember Calva to approve the agenda. Motion Carried 5-0.

4. CONSENT AGENDA

Mayor Dietz stated in the minutes for the July 28, 2025, special budget meeting that he was quoted to not spend any money from the liquor store fund, he stated he may have said to reduce that number, but he did not say not to spend any. Staff will update the minutes.

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

4.1 July 21, 2025, Minutes

4.2 July 28, 2025, Minutes

4.3 Check Register

4.4 Resolution 25-42: Oakwater Ridge Environmental Assessment Worksheet (EAW) Findings

4.5 Resolution 25-43: Premises Permit for Elk River Lions Club

4.6 Hire Police Officer

4.7 Hire Multimedia Specialist

5. OPEN FORUM

No one appeared for open forum.

6. PRESENTATIONS, AWARDS, AND RECOGNITION

6.1 Proclaim Jennifer Green Day

Moved by Councilmember Wagner and seconded by Councilmember Beyer to adopt a proclamation designating August 4, 2025, as Jennifer Green Day. Motion Carried 5-0.

Mayor Dietz read and presented a plaque and declared August 4, 2025, as Jennifer Green Day in the City of Elk River. The Council wished her the best in her retirement.

6.2 Introduction of New Employees

Mr. Teff introduced Street Maintenance Operator Matt Braun. Mr. Braun discussed his background in construction and street work and expressed his excitement to be in Elk River.

The Council welcomed Matt to the city.

7. PUBLIC HEARINGS

7.1 Ordinance 25-12: Amending the City's Septic System 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 Grupa and seconded by Councilmember Calva to adopt Ordinance 25-12 amending Sec. 78-101 of the city code to ensure consistency with Sherburne County's septic system standards. Motion Carried 5-0.

8. GENERAL BUSINESS

8.1 Discuss Work Session Items

Councilmember Wagner asked if they have a timeline for an update on the Highway 169 stop lights. Mr. Femrite explained they will have an update coming forward regarding the signal timing of the Main Street, School Street, and 193rd intersections when they come back with the review of the traffic counts.

Councilmember Wagner also asked if they will adjust when school starts if they see a tremendous change in traffic. Mr. Femrite stated generally, they see a traffic pattern change in town with the start of school, mainly at the high school entrance. They will continue to monitor and make time of year adjustments as necessary.

9. COUNCIL LIAISON UPDATES

9.1 Council Liaison Updates

The Council provided updates as outlined in the respective advisory board's minutes.

10. MOTION TO ADJOURN REGULAR MEETING

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

The regular meeting adjourned at 7:03 p.m. Mayor Dietz called the work session to order at 7:05 p.m.

11. WORK SESSION

11.1 Highway 169 Lift Station Backup

The staff report was presented.

Tom Lucas, 17115 Yale St NW, stated that when he signed a purchase agreement for his house, he was told that there was a backup at their house before. Then there was a second backup in November 2005. The basement was flooded, and after that, he installed a backflow valve. Now with this recent backup, he still experienced a backup. He explained that so far, there was \$4,200 of damage, but that what he experienced was nothing compared to some of the others. He stated the frustrations were that they were waiting days for clean-up crews to come, and some people had to stay in hotels because the smell was so strong. He stated the smell was still in some of the houses. He handed out an itemized price list of charges for the cleanup. He would like to know the precautions that are going to be taken so, this does not happen again.

Diane Lucas, 17115 Yale St NW, explained that they had this happen to them in 2003 and had to replace everything, and now, 20 years later, it has happened again, and they have to replace everything again. She stated that they were always told it would never happen again.

Harold and Nancy Boyum, 17123 Yale St NW, stated their cost has been \$30,000 so far.

Steve and Brenda Helle, 17131 Yale St NW, stated that his and Harold and Nancy Boyum's units got the worst of it. He explained that the emergency response team that was called in was the first bill they had seen. He explained that they came in and quickly cleaned, shoved things around, and charged 240 hours, at \$125 an hour, to do the removal of the furniture and sanitation of the contents. He

continued to explain that the next step is reconstruction. He stated that the emergency response, clean-up, and reconstruction would cost around \$100,000. Mr. Helle talked to the League of Minnesota Cities Insurance Trust (LMCIT) claims adjuster and was told there would not be a dollar-for-dollar match of the loss, but it would be close. Mr. Helle then stated that LMCIT told him that they needed to hire a company to tell them what is salvageable or not. He explained that there are eight families that have been affected by this, all retired and with an average age of 75 years. He stated that they just wanted to let the City Council know what was happening. Mrs. Helle added that the company stated they have to sanitize anything that touches the water; however, she explained the smell has touched everything in their home, and they will not clean it, only the things that have touched the water. They will have to clean everything else themselves. She stated that it is unimaginable what they are going through.

Ken Saba, 17147 Yale St NW, explained that they reported it first around 5:30 a.m., and there was a good reaction time, but the damage was already happening. He wants to know what they are supposed to do since they have received their first bill from 24Restore and stated that the bill is already due. Mr. Femrite asked if they were in contact with the city's insurance. Mr. Saba said he has not, as he couldn't stay in the house anymore and was staying at a place up north. Mr. Femrite explained that the instructions would be to get a hold of Lori Stich with the city, who is in charge of the insurance in the city, and who will make sure they get the right contact with the League adjuster. Mr. Femrite explained that the League adjuster would be the right person to answer questions regarding the payment of the invoices they are receiving.

Mr. Portner suggested contacting their insurance companies as well.

Mr. Helle stated that they did not have insurance for the backup.

Councilmember Calva asked to what degree those who have been affected will be responsible for paying. Mr. Portner stated that at this point, We don't know yet. Councilmember Calva asked if the city would be responsible for covering what the insurance does not cover. Mr Portner explained that there would be a Council discussion. When they have more clarity after the insurance is completed, then they can bring it back to the Council for discussion.

Mr. Saba asked about his vanity in the bathroom that was touched, but they did not take it out. He asked how does he get them to remove it, too. Mr. Portner recommended that he work with the contractor and the LMCIT, too.

Mayor Dietz asked if the adjuster had been out to any of these homes. The residents stated they had not seen an adjuster yet.

Mr. Helle stated that he was told by the LMCIT that there would only be one check issued per house and said to have everything submitted all at once, but bills are coming now, and the companies want them paid, but the check will not be issued until all the reconstruction is done, which could be months down the road.

Councilmember Wagner asked if someone could put together a step-by-step process for the residents to follow.

Councilmember Grupa would like to see someone follow up on this every week.

Mayor Dietz asked if we could get an opinion from our attorney about the bills. Mr. Portner stated yes, and we will follow up with LMCIT tomorrow as well.

Councilmember Beyer asked if we had all of their email addresses to set up a communications group to keep them updated.

Mr. Steve Helle stated that it would be a good idea to have a communication group to receive instructions and communication, because when it happened, they had no clue what to do.

Councilmember Wagner asked if these were the only two companies that they got bids from. Mr. Saba stated that the LMCIT said that it doesn't really matter who you go with, that it will be about the same cost.

Amy Boyum, daughter of Harold and Nancy Boyum asked who the point person for this was. She stated that these people should not have to float any of their money. Her parents, Harold and Nancy Boyum, are 86 years old, and all their belongings are in their garage, including some irreplaceable antiques. She feels the city should have a point of contact to manage this for the residents, because they need someone to advocate for them.

Councilmember Grupa agrees and thinks we should appoint someone.

Councilmember Beyer stated that he just mentioned that we should have a communication email set up with a staff point of contact, and that person would be watching the email or phone calls to field the coordination between the residents and what is happening.

Mayor Dietz suggested that the first thing that should happen is to get the adjuster out to the homes, and the adjuster would be able to answer a lot of the questions. Mr. Portner stated that we will find out tomorrow when the adjuster will be out at the houses.

Mr. Femrite explained that we are not practiced in this scale of a claim, and we'll be working through it. He thanked them for the suggestions of a point person.

Mayor Dietz told the residents, before they leave tonight, to make sure we have their name, address, and email for the communications list.

Mr. Lucas asked what was going to be done to prevent this from happening again.

Mr. Femrite explained what happened. He stated they received a communication failure at 11:00 a.m. on Thursday. They receive a lot of communication failures because of cell coverage going in and out. When they receive communication failures, they usually wait an hour until they respond because cell signals go in and out, and it comes back on. They do have a battery backup at that station because of this. They did not get another communications error because the battery backup failed. This was something that they originally tested quarterly, but will now be testing weekly. It was those two pieces, the operator error and the mechanical error, that caused this. We are now ensuring that when the second call comes in, they will respond.

Councilmember Calva asked if more than one person could get those calls so it doesn't happen again. Mr. Femrite stated that, yes, that is another piece they are adding to their protocols and explained that the lab personnel assigned for the day will ensure that all calls and faults have been addressed and are

looked at for the day.

Mr. Femrite explained that there ended up being a power failure at the lift station that took out the breaker and panels, and they believe it was out for 17 hours.

Mrs. Helle stated that she appreciated all the discussion and asked if they could get a summary of tonight's discussion.

Councilmember Calva asked Mrs. Helle if he could stop by their home. She said, "Absolutely." If anyone wants to stop by and see the damage and how they are living right now, they are welcome.

11.2 Traffic Safety Officer

The staff report was presented.

Duane Siedschlag, Impaired Driving Program Coordinator, and Becky Putzke, Northwest Law Enforcement Liaison from the Office of Traffic Safety - Minnesota Department of Public Safety, were present.

Mayor Dietz asked if it was similar to the Towards Zero Deaths program. Chief Kuhnly stated it is an extension of that program.

Mayor Dietz asked how long the grants are for. Mr. Siedschlag stated for one year. Mayor Dietz asked if you get the grant one year, is it guaranteed that you will get it the next year. Mr. Siedschlag stated, Yes, usually you do.

Mayor Dietz asked if this would be opened up to the current department or would it be a new hire. Chief Kuhnly explained that they would like to increase their staff from 35 to 36, but they would take one of their current officers and have them work this position in particular, and then add a new hire for general patrol.

Mayor Dietz asked what would happen if they received the grant, and if they would have to have someone in place by a particular date. Mr. Siedschlag stated it would start on October 1, 2025, and go through September 30, 2026.

Councilmember Beyer asked if Chief Kuhnly asked for this or was it something that came to him. Chief Kuhnly stated that he was familiar with the program already.

Mayor Dietz asked if the program was successful. Mr. Siedschlag stated that he is committed to putting the federal funds where the problems exist and explained that other cities that have participated have been very successful and have seen a 60% rate drop in alcohol-related fatalities from 2022-2024.

Mayor Dietz asked if it would be hard to find someone to work those hours and on holidays. Chief Kuhnly stated that there are a couple of people interested in this already, and it could be a rotated position as well.

Mr. Siedschlag stated that it is a concern that some officers get burned out, so they rotate. He stated he keeps close monitoring of the program.

The Council stated that they would support staff in applying for the grant.

Mr. Siedschlag stated if it is awarded a resolution would be brought forward to the Council.

11.3 Yard Waste Transfer Site Administration

The staff report was presented.

Staff put together a Yard Waste Site Budget (handout) and a list of site rules (handout).

Staff and the Council discussed the fees and operational costs.

Mayor Dietz suggested that it should be for Elk River taxpayers.

Mayor Dietz asked when this would start. Mr. Teff stated that we would be consistent with the county's timeline as they are looking to clean slate their card roster list. This means if you have a card currently, whichever way we go, they will have to re-register their cards. The county stated that they will be cleaning their system on January 1, and we would want to be consistent with that. Mr. Teff said they will be sitting down with the county on August 14.

The Council agreed for staff to move forward with this plan.

Mayor Dietz asked if there was anything else that needed to come before the Council.

Councilmember Wagner said that she received a complaint that there was a lot of truck traffic and backup alarms starting early at 6:30 a.m. on a Saturday at the Bradford development. Mr. Portner pulled up the ordinance and stated that it says 7:00 a.m. to 7:00 pm. Monday-Saturday. Mr. Femrite stated that they will reach out to the developer and contractors and remind them of the ordinance.

12. 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 8:39 p.m.

Minutes prepared by Jolene Richter.



John J. Dietz, Mayor



Tina Allard, City Clerk