

**City of Credit River  
Planning Commission & Council Meeting Minutes  
Credit River City Hall & Teleconference**

**Monday, June 21, 2021, 6:00pm**

Members Present: Mayor Kostik and Council Members Lawrence, Novak, Schommer and Stevens  
Others Present: Treasurer Hill and Planner Nash  
Via remote: Attorney Ruppe, Engineer Nelson and Clerk Donovan

11 attending online

**6:00PM: Call June 21, 2021, Planning Commission Meeting to Order**

**1. Approve or Amend Agenda**

Mayor Kostik asked for any amendments to the Planning Commission Agenda. Hearing none a motion was requested.

**Motion to approve the Planning Commission Agenda as stated: Council Member Novak  
Second: Council Member Schommer  
Motion Passed: 5-0**

- 2. Consent Agenda** Those items on the Council Agenda which are considered routine or non-controversial are included as part of the Consent Agenda. Unless a Council Member specifically requests that an item on the Consent Agenda be removed and considered separately, items on the Consent Agenda are considered under one motion, second and vote. Any item removed from the consent agenda shall be placed on the agenda under Old Business.

**No items on the Consent Agenda.**

**3. Public Hearings**

**1) Ordinance 2021-04 Amendment to Zoning Ordinance Regarding Planning Commission (CN)**

Mayor Kostik opened for the Public Hearing regarding the Zoning Ordinance Amendment.

- Comments received via email reviewed.
- Bill Markert: Asked what had changed from the draft sent to via email blast. Mayor Kostik explained nothing had changed. Comment was made about removing a Planning Commission member without cause in the ordinance.

Hearing no further comments, a motion to close the public hearing regarding the amendment to the Zoning Ordinance regarding Planning Commission was requested.

**Motion to close the Zoning Ordinance amendment public hearing: Council Member Lawrence**  
**Second: Council Member Stevens**  
**Motion Passed: 5-0**

**Public Hearing Closed**

**4. General Business**

**1) Concept Plan – John and Bonnie Kane (CN)**

City Planner Nash reviewed the DRT process and comments regarding the concept plan which are in the packet. Scott County sent comments on Monday afternoon and were reviewed. Applicant wants to keep driveway access to the county road. Preliminary and Final plat required. Driveway variance also requested but needs to come with the preliminary plat.

Council Member Lawrence, referring to the Scott County DRT meeting notes, thought the variance was said to apply concurrently. Planner Nash stated the ordinance states the variance applies with the preliminary plat. If this started prior to Credit River taking over planning and zoning the resident believed this was under the Scott County.

John Kane gave a brief Summary of Kane's Corner which was purchased in approx.. 1880. He was pleased to see Scott County is open to the access on CR 27. Old house will be removed.

Scott County will make final variance decision because it is a county road. Variance is however required by both Credit River and Scott County.

Planner Nash explained more details are needed which is why the variance is required. The process stopped if development application was not received. Preliminary plat is needed due to the ordinance. No decision will be made at this time. The Scott County information has been received. Decision cannot be made until the process begins. Variance goes with property not with ownership.

**5. Adjourn Planning Commission meeting**

**Motion to adjourn the June 21, 2021, Planning Commission: Council Member Novak**  
**Second: Council Member Schommer**  
**Motion Passed: 5-0**

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## June 21, 2021, City of Credit River City Council Meeting

**6:00PM: Mayor Kostik called the June 21, 2021, Credit River City Council Meeting to Order and led the Pledge of Allegiance**

### **1. Approve or Amend Agenda**

Mayor Kostik asked for amendments to the Council Meeting Agenda.

Mayor Kostik added "Credit River Logo" as Item #4, "Radar Speed" as Item #5, "Remote Meetings" as Item # 6, and "Tara Farms 5<sup>th</sup> Addition" as Item #7 under General Business.

Planner Nash added "Consider Ordinance 2021-04 establishing and fixing the duties of a city Planning Commission within the city of Credit River" as Item #8 and "Consider Resolution 2021-29 Setting Planning Commission Dates" as Item # 9 under General Business.

Attorney Ruppe added "Consider Resolution 2021-30 Conflict of Interest Resolution" as Item #10 under General Business.

Council Member Schommer added "Ditches" as Item # 11 under General Business.

**Motion to approve Agenda as amended: Council Member Schommer**

**Second: Council Member Novak**

**Motion Passed: 5-0**

- 2. Consent Agenda** Those items on the Council Agenda which are considered routine or non-controversial are included as part of the Consent Agenda. Unless a Councilmember specifically requests that an item on the Consent Agenda be removed and considered separately, items on the Consent Agenda are considered under one motion, second and vote. Any item removed from the consent agenda shall be placed at the end of General Business.

#### **1) Tara Farm 2<sup>nd</sup> Addition Final Plat (CN)**

**Motion to approve Consent Agenda: Council Member Novak**

**Second: Council Member Lawrence**

**Motion Passed: 5-0**

- 3. Open Forum** The public forum is intended to afford the public an opportunity to address concerns to the Council. The public forum will be no longer than 30 minutes in length and each presenter will have no more than five (5) minutes to speak. Topics of discussion are restricted to local governmental topics rather than private or political agendas. The Council may discuss but will not take formal action on public forum presentations.

- Commissioner Wolf: Road construction in county is moving quickly due to the lack of rain.

- Dexter Spilman, Normandale Road. Asking about junk cars, etc. on 19344 Normandale Road– Mayor Kostik explained Compliance Officers have been aware of issues.

Hearing no further comments, the Open Forum was closed.

#### 4. Public Hearings

No Public Hearing held.

#### 5. General Business

##### 1) Driveway Variance – 20602 Monterey – Joshua Bixby (LS)

Resident Joshua Bixby asking for a Variance for a second driveway behind the house located at 20602 Monterey. Packet shows where the driveway is requested. HOA was never filed with county and city cannot enforce covenants of an HOA. No hardship shown.

**Motion to deny the variance request for a second driveway for 20602 Monterey: Council Member Schommer**

**Second: Council Member Lawrence:**

**Motion passed: 5-0**

##### 2) Authorize solicitation of applications for Planning Commission (CN)

**Motion to authorize the solicitation of applications for the Planning Commission: Council Member Novak**

**Second: Council Member Lawrence**

**Motion Passed: 5-0**

##### 3) League Insurance Quotes (DH)

Treasurer Hill has been working with League of Minnesota Insurance Trust for Workman's Compensation insurance quote. Minnesota Insurance Trust quote came in lower than the Minnesota Association of Township (MATIT) quote.

Election Tabulator and epoll pads are included in the new quotes. Shed will be changed to a value of \$5,000.

**Motion to approve the quote from League of Minnesota Insurance Trust: Council Member Novak.**

**Second: Council Member Stevens.**

**Motion Passed: 5-0**

##### 4) Logo Update

Additional logo designs were presented for the City of Credit River logo incorporating some of the recommendations from the council previously.

**5) Radar Speed Sign**

Mayor Kostik discussed the speeding issue on 170<sup>th</sup>. Safety Signs quoted \$5,050 for two radar signs. The signs would be permanent.

Also, can request from Scott County. Will research for a future meeting.

**6) Remote Meetings.**

Mayor Kostik discussed with the Council the idea to consider removing the interactive portion of the Council Meetings. An alternate method would be to live stream Council meetings which the Council preferred.

**7) Tara Farms**

Update for Tara Farms 1, 2, 3<sup>rd</sup> addition. City Planner Nash explained another option other than Letter of Credit (LOC) which is an escrow option. The escrow option is to put the same amount in cash escrow instead of a LOC. This could be done with city. An estimate of approximately \$400k would be needed for the 3<sup>rd</sup> addition. The Council agrees and because of the amount, this is acceptable using with the same wording as a LOC and protection for Credit River. The option could be used for other developers but would not usually be used due to the amount and size of the larger developments. Final Plat and Developer Agreement not approved yet. \$30,000 will be required for the grading agreement.

**8) Consider Replacement for Ordinance 2021-04**

**Motion to approve Ordinance 2021-04 establishing and fixing the duties of a city Planning Commission within the city of Credit River: Council Member Schommer**

**Second: Council Member Novak**

**Motion Passed: 5-0**

**9) Consider Resolution 2021-29 Setting Dates for Planning Commission**

City Planner Nash proposed to continue Planning Commission meetings on the third Monday of the month for July and August. Starting in September 2021, the Planning Commission meeting dates would change to the 3<sup>rd</sup> Thursday of the month.

Council Member Stevens was concerned with the change in date, however, Planner Nash explained Planning Commission meetings only started in January so Planning Commission applicants will be aware of the change in schedule as part of the application. Planner Nash noted that part of reason to change is for the timing between the Planning Commission Meeting and the following City Council Meeting would be beneficial.



**Motion to approve Resolution 2021-29 Setting Dates for the Planning Commission to the third Thursday of each month. Council members Lawrence**

**Second: Council Member Schommer**

**Motion Passed: 5-0**

Planning Commission applications will close July 30<sup>th</sup>. Applicants will be reviewed, and a decision will be made at the August 2 Council Meeting. New Planning Commissioners will start in September.

Attorney Ruppe explained the Planning Commission is a recommending body only and does not make a final decision.

Planner Nash recommends training for Planning Commissioners.

**Motion to authorize the solicitation of applications for Credit River Planning Commission beginning July 1 and ending July 30. Council Member Novak**

**Second: Council Member Schommer**

**Motion Passed: 5-0**

Attorney Ruppe advised a motion is required to have the Council members appointed as the Planning Commission until appointees are in place.

**Motion to appoint the City Council Members as the Planning Commission until the Planning Commissioners have been appointed. Council Member Novak**

**Second: Council Member Stevens**

**Motion Passed: 5-0**

#### **10) Conflict of Interest Resolution 2021-30**

Attorney Ruppe proposed resolution for the conflict of interest authorizing contract with Council Member Stevens. Council vote must be unanimous with Council member Stevens abstaining from the vote.

**Motion to approve Resolution 2021-30 authorizing contract with Interested officer Andrew Stevens under Minn. Stat. § 471.88, subd. 5 : Council Member Schommer**

**Second: Council Member Lawrence**

**Motion Passed: 4-0 (Council Member Stevens abstained)**

#### **11) Ditch Mowing**

Council Member Schommer updated that Dale Kachinka will begin cutting ditches.

**6. Councilmember Liaison Updates/Councilmember Reports**

- Mayor Kostik and Council Member Lawrence met with the City of Savage. Currently there is a JPA for the Prior Lake Aggregate on the south side of CR 44 which is still currently being mined. Will be readdressed.
- Council Member Novak mentioned that the ditch on eastside of Monterey has trees growing back.

**7. Approval of Claims Listing**

Treasurer Hill advised claims to be paid are \$41,376.53. No transfer is required.

**Motion to approve the list of claims as listed on the Check Summary: Council Member Schommer  
Second: Council Member Novak  
Motion Passed: 5-0**

**Check Summary**

Check	Vendor	Date	Amount	Comments
Paid Chk# 010953	GOPHER STATE ONE CALL	5/3/2021	(\$10.88)	Utility Locates - Township
Paid Chk# 011001	BOND TRUST SERVICES	6/21/2021	\$8,587.50	GO Improvement Bonds Series 15
Paid Chk# 011002	BOND TRUST SERVICES CORP 18	6/21/2021	\$18,775.00	GO Improvement Bonds Series 18
Paid Chk# 011003	DEM-COM	6/21/2021	\$1,104.75	Misc. Escrow Return - Action G
Paid Chk# 011004	GOPHER STATE ONE CALL	6/21/2021	\$122.85	Utility Locates - Township
Paid Chk# 011005	RITEWAY BUSINESS FORMS	6/21/2021	\$364.95	Checks
Paid Chk# 011006	SCOTT COUNTY TREASURER	6/21/2021	\$12,330.00	Treated Salt 1st half salt
Paid Chk# 011007	U.S. BANK EQUIPMENT FINANCE	6/21/2021	\$102.36	Acct#1388554;Lease Payment
			<b>\$41,376.53</b>	

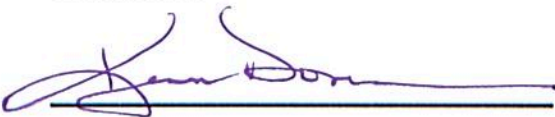
**8. Adjourn**

There being no further business before the City Council, a motion to adjourn was heard.

**Motion to Adjourn the June 21, 2021, City Council Meeting: Council Member Lawrence  
Second: Council Member Stevens  
Motion Passed: 5-0**

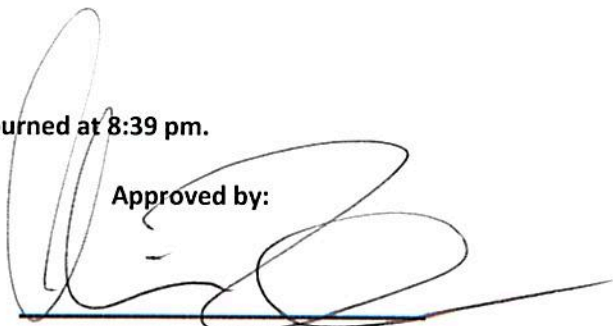
The June 21, 2021, City Council Meeting was adjourned at 8:39 pm.

Recorded by:



**Karen Donovan  
City Clerk-Credit River**

Approved by:



**Chris Kostik  
Mayor- Credit River**