

# City Council Meeting

Wednesday, November 9, 2022 6:00 PM

## Minutes

### Pledge of Allegiance

**Attending: Mayor Kostik, Council Members: Lawrence, Schommer, Novak and Stevens**  
**Others Attending: City Administrator McNeill, Planner Nash, Attorney Ruppe, Treasurer Hill, Clerk Donovan**  
**Broadcast via Credit River You Tube Channel**

### 1 Approve or Amend Agenda

Council Member Lawrence added Election Report as 2.B

**Motion to approve Agenda as amended: Council Member Novak**  
**Second: Council Member Schommer**  
**Motion Passed: 5-0**

### 2 A. Sheriff's Report

Deputy Strack – Nothing major to report.

### B. Election Report

Amy Olson, Election Administrator reviewed the General Election which was held on November 8<sup>th</sup>. She said there was an amazing turnout with over 2300 voters coming through voting in person. There were another 400 in absentee at Credit River city hall, not including mail in ballots. She thanked the Election Judges and said they made a real difference. She also thanked Credit River staff Treasurer Hill and Clerk Donovan, and Council Members Lawrence and Schommer.

Council Member Lawrence – Thanked Amy Olson for stepping up as an Election Administrator and said she did an outstanding job.

### 3 Consent Agenda

Those items on the Council Agenda which are considered routine or noncontroversial 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.

**3.1 Approval of Assessment Services JPA With Scott County**

**3.2 Liquor License Renewal - Legends Club Grill, LLC**

### 3.3 Council Meeting Minutes: October 3, 2022, and October 17, 2022

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

**Second: Council Member Stevens**

**Motion Passed: 5-0**

#### 4 **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.

- Kelly Dubacke – Urban Expansion Reserve question.  
Mayor Kostik – Asked Kelly to send her question to Mark McNeill who will send it to Planner Nash
  - Can the Comp Plan be amended – Yes, the Comprehensive Plan is reviewed every 10 years.
- Peter Theberath – saw on Agenda the Ordinance regarding the Planning Commission change was to be discussed. He feels the amendment should not be done and should be residents only.
- Cathy Haugh – Commented on the new website she said it was well done and would like to thank the council.

#### 5 **Presentation(s)**

#### 6 **Public Hearing(s)**

#### 7 **General Business**

##### **7.1 Ordinance # 2022-05 An Ordinance Amending Composition and Terms of the Planning Commission**

Planner Nash – Planning Commission considered amending the composition and terms of the Planning Commission.

The City currently has a requirement that all Planning Commission members must be residents of the City. The Planning Commission reviewed that part of the ordinance changes and recommended that Planning Commission members should be residents of the City. The original language provided to the Planning Commission for consideration is also included in the packet. The other portion of the ordinance amendment was related to the date that terms would end. Currently, Planning Commission terms end on December 31 of any given year. It is being suggested to amend the ordinance to have the terms end on February 28th so that incoming City Council members have ability to participate in the selection of the Planning Commission members. The Planning Commission recommended approval of that part of the ordinance amendment.

**Motion to adopt Ordinance 2022-05 Amending Composition and Terms of the Planning Commission: Council Member Novak**  
**Second: Council Member Lawrence**

**Motion Passed: 5-0**

**7.2 Presentation for Request to Consider Creation of a Tree Preservation Ordinance**

Credit River Rural Alliance – presented.

- o Brook Solberg, Co-Chair – Credit River lacks a Tree Ordinance and would like to have the Council consider adopting a Tree Ordinance. Growth is a concern for the Credit River Rural Alliance however their focus is on Tree Preservation.
- o Neils Michaels – Co-Chair - Presented DNR information on trees. Referenced the Wayzata Tree Ordinance as an example of an Ordinance for the City to consider.
- o Jamie Johnston: Co-Chair – Reviewed the Wayzata Tree Ordinance and feels it is well suited for Credit River
- o Tina Mischa: Discussed the survey the Alliance sent out and the comments given by respondents. These comments were given to the council. The Alliance feels a solution is to have a tree ordinance.

Council Member Novak asked about the petition signed: 180 individual signatures received.

City Administrator McNeill researched several area Tree Ordinances including Wayzata, Lakeville, Prior Lake, and Savage. Wayzata : Adopted five years ago.

Areas to consider regarding Tree Ordinances:

- Need to get a tree approval permit if a "heritage tree" is to be removed.
- Tree Inventory needs to be done. Tree Replacement. Forester would need to be on staff
- Other communities have full time engineers, planners so there is a cost associated with it.
- Trees vs. Property Rights (removing a tree on your property)
- Concern with cost of administration and enforcement. Not in the budget for 2023

Plan to have workshop & staff. Recommendation,

**7.3 Northern Natural Gas**

**1. Resolution 2022-34 -- Approving Amendment to Conditional Use Permit**

Planner Nash reviewed the Amendment to the CUP approved earlier. Site Plan shown Blue is a change. Reroute to connect with Center Point Line. Planning Commission recommended approval.

**Motion to approve Resolution 2022-34 approving the Amendment to the Northern Natural Gas Conditional Use Permit: Council Member Lawrence**  
**Second: Council Member Novak**  
**Motion Passed: 5-0**

Steven Martinez was in attendance and is aware of the mud issue, Council Member Schommer asked for rock to be brought in for driveway.

8 Approval of Claims Listing

Claims listed as \$132,372.68.

**Motion to approve Claims as listed in the Check Summary for \$132,372.68. Council Member Schommer**

**Second: Council Member: Novak**

**Motion Passed: 5-0**

Check Number	Vendor	Date	Amount	Comments
11517	Novak, Alan J	10-Nov-22	\$708.58	October Service paid in November
11518	Access	09-Nov-22	\$59.85	Shredding - Quarterly cycle
11519	ANIMAL DAMAGE CONTROL MN, LLC	09-Nov-22	\$400.00	Beaver Removal Territory
11520	BANYON DATA SYSTEMS	09-Nov-22	\$1,825.00	Fund, xpress, Pos, Import
11521	BLUE NET EXPRESS INC	09-Nov-22	\$271.60	Monthly Microsoft office
11522	BUCKINGHAM	09-Nov-22	\$81.04	Garbage Service
11523	CASTLE ROCK MATERIALS	09-Nov-22	\$148.93	Class 5 Limestone
11524	CHORES AND MORE BY HEIDI INC	09-Nov-22	\$155.00	Cleaning 8/30
11525	CHRIS GISH	09-Nov-22	\$1,414.00	NPDES Escrow return - Pool 19771 Bernard Ave B22020043
11526	CINTAS	09-Nov-22	\$89.75	City Government Center Rugs - 10.18.22
11527	COLLABORATIVE PLANNING LLC	09-Nov-22	\$11,124.00	Planner
11528	COURI & RUPPE, P.L.L.P.	09-Nov-22	\$5,982.50	9725 Lower 167th Street E
11529	CRAIG PAULSEN	09-Nov-22	\$2,216.00	NPDES Escrow Return Nevada 20435 PID 041340240 - original e
11530	DAKOTA ELECTRIC ASSOCIATION	09-Nov-22	\$79.34	Intersection Lighting - Act 200010080625
11531	DALE KUCHINKA	09-Nov-22	\$3,784.00	Spring/Fall 2022 Ditch Mowing - 44 miles each mowing event @ \$
11532	DOMINION VOTING SYSTEMS, INC	09-Nov-22	\$9,755.60	Dominion Voting Tabulator and freight
11533	EARL F ANDERSEN	09-Nov-22	\$36.00	No parking cardboard
11534	EMPLOYERS	09-Nov-22	\$327.00	Workers Comp 11.07.22-011.07.22
11535	ERIC GOHDES	09-Nov-22	\$2,153.00	NPDES ESCROW Return 20196 Nevada Avenue pid 041340050
11536	GALLAGHERS	09-Nov-22	\$2,516.40	Additional work and expense related to Blading Roads
11537	GRANICUS	09-Nov-22	\$9,000.00	Website design and Implementation - Innovator
11538	HAKANSON ANDERSON ASSOC INC	09-Nov-22	\$21,653.19	Engineer
11539	JOE MCCARNEY	09-Nov-22	\$1,456.00	NPDES Escrow Return - Pool 21206 Wellington Place B22080114
11540	Mark McNeill	09-Nov-22	\$5,788.12	Interim City Administrator
11541	NATURAL SYSTEMS UTILITIES MN	09-Nov-22	\$13,311.04	CSTS Operator
11542	PAUL HOWE	09-Nov-22	\$62.50	Website and IT Support Services
11543	PRIOR LAKE BLACKTOP, INC.	09-Nov-22	\$745.00	Patch 4 areas on Suel Circle per Leroy
11544	SARAH LEVOIR	09-Nov-22	\$276.25	Deputy Treasurer
11545	SCOTT COUNTY TREASURER	09-Nov-22	\$2,750.00	911 Post & Signs
11546	SCOTT SOIL & WATER CONSV DIST	09-Nov-22	\$10,303.00	Permit Inspections July 1 thru September 30 2022
11547	U.S. BANK EQUIPMENT FINANCE	09-Nov-22	\$313.20	Copier charge
11548	WH SECURITY	09-Nov-22	\$78.17	Security Monitoring

11549	WHITE TRASH INC	09-Nov-22	\$125.00	debris removal
500416e	Monthly Pay ACH	10-Nov-22	\$13,468.16	October Service paid in November
1000241e	PERA	09-Nov-22	\$1,476.44	PERA - Employee Amt
1000242e	MINNESOTA REVENUE MW5	09-Nov-22	\$604.66	State WH
1000243e	EFTPS	09-Nov-22	\$3,715.92	FICA 6.2 - Employee Amt
1000244e	VISA COMMUNITY CARD	09-Nov-22	\$131.90	iContact, Office supplies
1000246e	MINN DEPT OF LABOR & INDUSTRY	17-Oct-22	\$3,986.54	Q3 2022 Permit Surcharge payment
			\$132,372.68	

**9 Council Member Liaison Updates and Council Member Reports**

Council Member Schommer: Silt fence in Harvest Hills needs to be removed from road project, it is on private property. Need to verify from engineering and request a quote from vendor prior to removing.

**10 Adjourn**

**Motion to adjourn the November 9, 2022, City Council meeting: Council Member Stevens  
 Second: Council Member Schommer  
 Motion Passed 5-0**

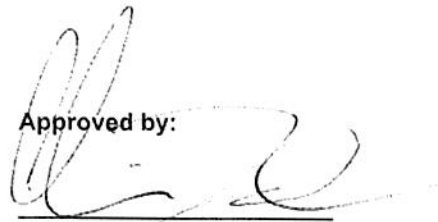
**The November 9, 2022, City Council meeting was adjourned at 7:20 PM.**

**Recorded by:**



**Karen Donovan  
 Clerk – Credit River**

**Approved by:**



**Chris Kostik  
 Mayor-Credit River**