

Pursuant to the due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on October 2, 2023. Mayor Carlson called the meeting to order at 7:00 p.m., asking everyone to join the Pledge of Allegiance. The following were present for roll call: Council Members Oachs, Whitlock, Steiner, Peterson, City Administrator McCann, Finance Director Ryan, Community Development Director Fischer, Public Works Director Arnold, and Administrative Services Manager-City Clerk Van Genderen.

Approval of Agenda

Council Member Oachs moved, seconded by Council Member Whitlock, to approve the agenda as presented. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Approval of Council Minutes from September 18, 2023, Council Meeting.

Council Member Whitlock moved, seconded by Council Member Oachs, to approve the September 18, 2023, Council Meeting Minutes. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Approval of Council Work Session Minutes from September 18, 2023, Council Work Session.

Council Member Peterson moved, seconded by Council Member Whitlock, to approve the September 18, 2023, Council Work Session Minutes. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Public Hearing, 7 pm to Consider an Ordinance Amending City Code Title XI Business Regulations and Establishing Chapter 114.1 Cannabis and Marijuana Smoking.

Attorney Kennedy appeared before the Council and commented that the proposed ordinance reflected the Council's discussion concerning the Ordinance. The Ordinance would prevent smoking marijuana or cannabinoid products anywhere smoking is prohibited by the Minnesota Clean Indoor Air Act, inside transit shelters, and any City park other than Benson Park, Bluff Park, Wheeler Park, or Spring Lake Park. He commented that further discussion has been held with Police Chief Gullickson, who is interested in including prohibitions on smoking on government property. Still, those changes could be added after future discussions.

With no one appearing, Mayor Carlson closed the public hearing.

Public Hearing, 7 pm to Consider an Ordinance Repealing and Replacing Chapter 31.01 (C) (6), Administrator.

Attorney Kennedy appeared before Council and indicated that the Ordinance would repeal and replace chapter 31.01 (C) (6), Administrator. The change would remove the spending limit of \$150,000 from the City Administrator's authority. The limit would be set by resolution, allowing future City Councils to change the administrator's authority without going through the ordinance procedure. In the business items, the City Council will set the new spending authority for the City Administrator.

With no one appearing, Mayor Carlson closed the public hearing.

Public Comments

None.

Consent Agenda

Council Member Steiner moved, seconded by Council Member Oachs, to approve the Consent Agenda.

- A. Bills and Appropriations.
- B. Res. No. 64-23 Accepting Donations/Contributions/Grants.
- C. Res. No. 65-23 Declaring Surplus Vehicles and Equipment.
- D. Appointed Doug Fahrforth to the North Mankato Port Authority to Complete Ben Kaus' Term through 2025.

Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Business Items

Ordinance No. 162, An Ordinance Amending Title XI Business Regulations and Establishing Chapter 114.1 Cannabis and Marijuana Smoking.

City Attorney Kennedy reported that the ordinance attempts to balance the rights of all individuals. The City allows smoking marijuana or cannabinoid products in certain City parks. However, those who choose to smoke in public are still limited by the State Statute that prevents smoking marijuana or cannabinoid products in the presence of minors.

Council Member Whitlock stated he is interested in banning smoking within 25 feet of public buildings. He noted it would need to be a separate ordinance as the current ordinance only references marijuana and cannabinoid products.

Attorney Kennedy stated that the new chapter in the City Code would allow flexibility to add additional chapters that address the issue.

Council Member Steiner moved, seconded by Council Member Oachs, to Adopt Ordinance No. 162, An Ordinance Amending Title XI Business Regulations and Establishing Chapter 114.1 Cannabis and Marijuana Smoking. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Ordinance No. 161, An Ordinance Repealing and Replacing Section 31.01 (C) (6) Administrator of the North Mankato City Code.

Attorney Kennedy reported the ordinance would repeal and replace the current City Code, removing the City Administrator's spending limit and requiring the City Council to set the limits by resolution. The limits would not apply to standard operating actions such as payroll, payment of judgments, payment of principal or interest on obligations, previously fixed amounts, and other such items. Finance Director Ryan asked for clarification on whether this would affect items already budgeted. Attorney Kennedy clarified that if the item was already budgeted, it was not required to go back through the Council.

Council Member Steiner moved, seconded by Council Member Oachs, to Adopt Ordinance No. 161, An Ordinance Repealing and Replacing Section 31.01 (C) (6) Administrator of the North Mankato City Code. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Res. No. 66-23 Establishing City Administrator Contract Authority.

Attorney Kennedy commented that the City Council could determine the City Administrator's spending authority, but previous conversations reflected a Council desire to limit it to \$25,000.

Council Member Peterson moved, seconded by Council Member Steiner, to Adopt Res. No. 66-23 Establishing City Administrator Contract Authority and Setting it at \$25,000. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Agreement Between the City of North Mankato and the City of Mankato for Transit Services.

City Administrator McCann introduced Shawn Schloesser, the Associate Director of Transportation Planning Services for the City of Mankato. Mr. Schloesser reported that the agreement is similar to the 2023 agreement, with the same service hours and level and conditions, including para, fixed route, and flex route. He noted that he had just received the Transit Development Plan, which shows interest from the community in additional service and service hours. He stated the plan would go back out to the public and show how the plan would become operational.

Mayor Carlson requested information on the possibility of extending service during larger City events. Mr. Schloesser stated that they currently provide episodic services for MSU and would be able to provide episodic services for the City of North Mankato. However, further discussion concerning events and costs would need to be held.

Council Member Oachs requested information on the possibility of shelters being added at North Mankato bus stops. Mr. Schloesser reported if a stop has a daily ridership of at least 20 a day, the area would be considered for a bus stop. The Transit system is currently working on bus stop improvements, and two bus stops are planned for North Mankato in 2024. Discussion was held concerning locations, with Mr. Schloesser commenting that the shelters are a part of an ADA grant and would service those locations first.

Council Member Steiner moved, seconded by Council Member Oachs, to approve the Agreement Between the City of North Mankato and the City of Mankato for Transit Services. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Res. No. 67-23 Awarding Bid for Project No. 23-05A 2023 Sanitary Sewer Relining Project.

City Engineer Sarff appeared before Council and noted that bids were opened on Tuesday, September 26th at 11:00 a.m. for the 2023 Sanitary Sewer Lining project. The bid documents included two sections. Bidding Section A included the sanitary sewer extending from the lift station on Carol Court to the lift Station on Marvin Boulevard. Bidding Section B included sanitary sewer located behind the houses south of Marvin Boulevard. Three bids were received:

Bidder	Section A	Section B	Total Amount Bid
Hydro-Klean, LLC	\$76,377.41	\$109,293.11	\$186,670.52
Instituform Tech. USA LLC	\$112,231.71	\$168,952.82	\$281,184.53
Visu-Sewer, Inc.	\$179,166.00	\$108,700.00	\$387,866.00
Engineer's Estimate	\$84,242.00	\$133,450.00	\$217,692.00

The low bid from Hydro-Klean, LLC is approximately 15% below the Engineer's Estimate and 33% below the next lowest bidder. City Engineer Sarff noted the company that Hyrdo-Klean LLC has over 50 years of experience in municipal and industrial pipeline lining and rehabilitation. Staff recommended approving the resolution.

Council Member Whitlock moved, seconded by Council Member Steiner, to adopt Res. No. 67-23 Awarding Bid for Project No. 23-05A 2023 Sanitary Sewer Relining Project. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Consider Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court as Part of the 2024 National Fitness Campaign.

City Administrator McCann reported the City was approached by the National Fitness Campaign and Blue Cross Blue Shield to apply for a grant for an outdoor exercise area in one of the parks. The location that was considered was the grassy area right outside of the swim facility at Spring Lake Park, but there are other considerations, including near the sand volleyball courts. City Administrator McCann stated the grant is for \$50,000, with the total cost of the equipment and installation \$160,000, so the City would need to match the grant \$110,000. He noted the idea was only discussed internally as it was a swift-moving process. The staff did apply and were awarded the grant. Mayor Carlson commented that he liked the equipment and did sit in on some of the calls. He noted that he had been approached by a member of the Ward family concerning future partnerships and donations. Discussion was also held concerning possibly adding it to the 2024 budget by moving items around, not increasing the levy. It was determined that staff would do some outreach to the public to obtain their views on the proposed addition, the Ward family would be contacted, and the Parks budget would be changed to show how the project could be added without increasing the levy.

Council Member Oachs moved, seconded by Council Member Steiner, to Table the Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court as Part of the 2024 National Fitness Campaign. Vote on the motion Oachs, Whitlock, Steiner, Peterson, and Carlson, aye, no nays. Motion carried.

Open Forum

Tom Hagen, 927 Lake Street, appeared before the Council and stated the City should have a Parks Board to help guide the park's development.

City Administrator McCann stated that with the Parks Plan Review, a steering committee is being developed, which will help determine if a more permanent board should be considered.

City Administrator and Staff Comments

Council Member Oachs commented on the ASA Board Agenda and Information, noting that the facility does have an agreement in place with the church and apartment building nearby to park in their lots during events.

Public Works Director Arnold commented that fall drop-off will be Thursday-Sunday, October 5th through the 8th. A shredding truck will be available on Saturday morning. He noted no mattresses or box springs will be accepted, but they will be accepted at the Tri-County disposal event on Saturday, October 7th, in St. Peter at the Nicollet County Fairgrounds.

Public Works Director Arnold stated that watermain flushing has begun, and the lower north will be from October 2nd -October 6th, and the upper north will be from October 2nd-October 20th. He reminded residents not to drive through the water as it can do damage to vehicles. He also commented that the water may be discolored and encouraged residents to let their water run before using it.

Public Works Director Arnold commented that the Fall Leaf collection will begin on October 10, 2023, and will continue until all the leaves are picked up, or weather prevents collection. He reminded residents to bring their leaves to the curb but not to place them in the gutters. Bagged leaves can be brought to the compost site at 600 Webster Avenue.

City Administrator McCann said that 2024 is the 125th anniversary of the first North Mankato Council Meeting, and the City is in the process of planning a few events to celebrate.

City Administrator McCann invited everyone out to Party on the Prairie on October 7th from 2 pm to 6 pm at Benson Park.

City Administrator McCann reported that the Fire Department Open House will be on Sunday, October 8th from 11 a.m. to 1 p.m. at Fire Station #2.

City Administrator McCann invited everyone out to the Celebration of Harvest at the Farmers' Market on Monday, October 9th, from 3 pm to 6 pm.

City Administrator McCann said the next Trivia night at the warming house will be on October 13th from 6:30 -9:30 pm

City Administrator McCann noted that a Babysitter Training will be held on October 19th from 9:30 to 3:30 pm at the Warming House.

Mayor and Council Comments

Mayor Carlson welcomed the North Mankato Police Department's newest hire Alex Boone to the North Mankato Police Department. Alex was sworn in on October 2nd.

At 7:53 p.m., on a motion by Council Member Steiner, seconded by Council Member Oachs, the Council Meeting was adjourned.

Mayor

City Clerk