

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 August 7, 2023. Mayor Carlson called the meeting to order at 7:05 pm, asking everyone to join the Pledge of Allegiance. The following were present for roll call: Council Members Steiner, Oachs, Peterson, Whitlock, City Administrator McCann, Finance Director Ryan, Public Works Director Arnold, City Planner Lassonde, and Administrative Services Manager-City Clerk Van Genderen. Absent: Community Development Director Fischer.

Approval of Agenda

City Administrator McCann noted that the Public Comments would be held before the Consent Agenda. He also requested that item 9D be removed from the Agenda for consideration later.

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

Approval of Council Minutes from July 17, 2023, Council Meeting.

Council Member Oachs moved, seconded by Council Member Steiner, to approve the July 17, 2023, Council Meeting Minutes. Vote on the motion Oachs, Peterson, Whitlock, Steiner, and Carlson, aye, no nays. Motion carried.

Public Comments

Tom Hagen, 927 Lake Street, appeared before Council and requested that Council consider the administrator's purchasing and contract agreement limits.

Kevin Briggs, 304 Moreland Avenue, Mankato, MN, appeared before Council and noted that he owns a rental at 222 Wheeler Avenue in North Mankato. He said he was concerned about the letter he received informing him that marijuana violations by his renters could result in a rental strike. He also expressed concerns about the work done in the alley behind his rental property. Public Works Director Arnold noted that crews would be going back through the alleys to complete the job and address any issues. City Administrator McCann pointed out that the letter was provided as a courtesy to inform landlords of the new laws enacted in Minnesota.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 49-23 Accepting Donations/Contributions/Grants.
- C. Approved Mini-Vets Fest Event Permit and Audio Permit for August 12, 2023, from noon to 4 pm at the American Legion, 256 Belgrade Avenue.
- D. Approved DAV Rock n Recon Post 518 Event and Audio Permit for August 19, 2023, from 7 am to 10 pm at the American Legion, 256 Belgrade Avenue.
- E. Approved the Parade Permit for Mankato East Cross Country Race by Benson Park on October 10, 2023, with Road Closures from 1 pm to 8 pm.
- F. Approved Parade Permit for Mankato West Cross Country Race by Benson Park on September 26, 2023, with Road Closures from 1 pm to 8 pm.
- G. Approved the Parade Permit for Mankato West Cross Country Section 2AA Championship by Benson Park on October 26, 2023, with Road Closures from 1 pm to 8 pm.

- H. Approved Off-Sale Intoxicating License for 1105 Holdings, LLC d/b/a Range Street Liquor at 1105 Range Street, North Mankato.
- I. Set Fall Drop-Off Dates for October 5-8, 2023.
- J. Set Fall Water Main Flushing for October 2- 20, 2023.
- K. Res. No. 50-23 Waiving Waiting Period for Exemption from Lawful Gambling License for Greater Mankato United Way.
- L. Res. No. 51-23 Establishing City Regulations Related to Counting of Write-in Votes.
- M. Approved Block Party Permit for Shady Oak Drive Block Party on August 25, 2023.
- N. Consider Approving the Parade Permit for the Mount Olive School Charger Challenge on September 29, 2023, from 8 am to 1 pm.
- O. Res. No. 52-23 Approving Committee Assignments.
- P. Res. No. 53-23 Approving Consent Assessment Agreement.

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

Business Items

Res. No. 54-23 Authorizing Setoff Lease Deposit.

Adam Niblick from Taft Law was hired to protect the City's interests during the HyLife bankruptcy. He reviewed the lease and noted that HyLife deposited a security deposit in the amount of \$200,000. HyLife also deposited an escrow fund of \$520,000 with the City for supplemental security to hold HyLife to its obligations under the Lease. The lease expired, and HyLife surrendered the property to the Authority on June 24, 2023. HyLife did not surrender the Property in as good a state or condition as required by the lease. HyLife has conditionally agreed to the City and Authority collectively withholding Deposit funds in the amount of \$280,000 (the setoff). HyLife has also filed for bankruptcy, and the parties must execute specific legal instruments in order to obtain the Court's consent to effectuate the setoff. The resolution presented authorizes the property officers of the authority to execute all necessary agreements and documents to obtain the setoff.

Council Member Steiner moved, seconded by Council Member Whitlock, to Adopt Res. No. 54-23 Authorizing Setoff Lease Deposit. Vote on the motion Oachs, Peterson, Whitlock, Steiner, and Carlson, aye, no nays. Motion carried.

Presentation from US/Solar on Residential Community Solar

City Administrator McCann introduced Tom Hilgert from US/Solar, who would present a partnership with US/Solar to encourage residents to subscribe to solar gardens.

Tom Hilgert provided a brief overview of the program. He said the program would help residents save money on electricity bills and support local renewable energy projects. On average, a resident would save \$2,000 over the lifetime of the 25-year contract. There would be no sign-up fee and no need for solar panels on a resident's roof or property, and the subscription is easy to move. The program also partners with supporting a local non-profit, so for every resident that joins the program, a \$100.00 donation will be provided to a local non-profit chosen by the City. US/Solar would provide the City with custom materials to help engage and promote the project. The program is not exclusive, so if another residential solar program approaches the City, it can also support that program.

Council Member Steiner clarified that this would only be for residents of Xcel Energy. Mr. Hilgert confirmed that it is for Xcel customers, and there is no cost for a subscription. An Xcel user can sign-up for the program and receive credits. Council Member Oachs asked if businesses could

become involved in the program. Mr. Hilgert confirmed they have the opportunity but would work with someone specifically designated for businesses. Questions were asked about the location of the solar gardens. Mr. Hilgert stated that US/Solar has over 100 solar gardens, and the current laws state that the subscription must be for the county where the subscriber is or in an adjacent county.

Mr. Hilgert also noted that US/Solar, besides selling subscriptions, uses the solar gardens for pollinator gardens, sustainable mowing with sheep, and partners with hives to provide a location for local bee populations.

Mayor Carlson requested clarification on what is done with the solar panels after 20 years. Mr. Hilgert stated that the panels, aside from the glass, are entirely recyclable.

Finance Director Ryan stated that the City is a program subscriber and has saved \$56,000 through the current subscription.

Council Member Steiner moved, seconded by Council Member Oachs, to support the US/Solar Residential Community Solar Partnership. Vote on the motion Oachs, Peterson, Whitlock, Steiner, and Carlson, aye, no nays. Motion carried.

Mankato Transit Development Team Presentation

City Administrator McCann introduced Shawn Schloesser, Associate Director-Transportation Planning Services, City of Mankato. He noted that the Transit Development Plan must be updated every five years. North Mankato's City Planner, Matt Lassonde, sits on the committee.

Mr. Schloesser reported that public transportation provides mobility options for about 30% of the U.S. population and provides mobility options for those that choose not to drive. Public Transit also reduces road congestion, air pollution, and energy and oil consumption.

Mr. Schloesser reported that every 5-years, a new strategic plan is developed to help improve the City's current transit system and plan for the future. The project reviews the current service's performance, operations, and organization. The study outcomes will include data and context to support the decision-making process, an engaged and informed community, and residents will have improved, more equitable access to jobs, education, and services.

Mr. Schloesser reviewed the current Mankato Transit Services, including Fixed Route Service, Kato Flex Service, and Paratransit/Mobility Bus Service. He reviewed the maps for the existing fixed service routes. The routes change throughout the year, and he reviewed those changes. He noted in 2022 that ridership on the fixed-route rebounded from previous years, with a low of 263,396 in 2021 to 377,956 in 2022. Mr. Schloesser reviewed the Kato Flex Service area, including North Mankato, with service from 8 am to 4 pm in North Mankato. Ridership on the Kato Flex Service decreased in 2022 to 7,819, a 9% decline compared to 2021. North Mankato has driven the ridership with 46% of all trips. The Paratransit/Mobility ridership increased 15% from 2021 to 2022 with 25,190 trips, and North Mankato had 19% of those trips.

Mr. Schloesser reviewed the process with engagement beginning in March 2023. Between March-June 2023, there were 170 online comments and over 500 comments from stakeholders through in-person events, meetings, and online events. Service options were reviewed in July, and recommendations were provided in August. He reviewed feedback themes which included communication and branding issues, as some people needed clarification with the branding of the larger buses and wondered if those buses were only for Minnesota State University, Mankato students. They also noted issues with the scheduling and maps system. There was a desire for evening and weekend service and improving accessibility at bus stops.

Mr. Schloesser noted that suggested Network Design Principles included coordinating North Mankato service to integrate and connect with the rest of the network. There were also suggestions for

simplifying the network and maintaining the same service year-round. It was also suggested to continue using the Kato Flex system to serve outlying areas.

Mr. Schloesser reviewed the main proposed improvements, including making the service easier to understand and use. Make the system more cost-efficient, extend service hours on the Fixed-Route, Kato Flex, and Mobility Bus, and provide those services until 8:30 pm during the week, and until 7:30 pm on Saturday and Sunday.

The study is returning to the community for a second round of engagement. It includes in-person pop-ups, a Community Advisory Panel, an online priorities survey, and an online interactive map. Questions will consist of key trade-off questions, how riders would like to see service hours change, and whether the changes make people willing to pay a higher fare. Council Member Oachs asked about the installation of bus shelters. Mr. Schloesser stated that the guidelines for obtaining a shelter include 20 boardings per day. Discussion was held about the staff's work to include all potential ridership, including the Somali community and the homeless or transient population. A discussion was held concerning cost and the use of advertising revenue to offset the overall cost of the transit system.

Lookout Drive Area Plan

City Planner Lassonde reviewed the proposed plan, which aimed to achieve a shared vision, identify opportunities for growth and development and provide a framework for investment when communicating with developers. The proposed plan builds on various studies, including the Comprehensive Plan, which correlates with the Lookout Drive Corridor Study and the GM2040 Transforming Tomorrow Together. Public involvement included a steering committee, a Public Visioning Survey, SCC Student & Faculty Survey, pop-up events, and a virtual open house.

A vision statement was created out of public engagement. The statement is: "Lookout Drive provides access to a thriving business environment with a strong industrial presence, an array of area-serving commercial-retail amenities, and innovative housing options in an area that is safe, inviting, and creatively designed."

Housing goals for the area include maximizing and diversifying housing options and livability surrounding Lookout Drive. This goal would increase the quantity and diversity of housing stock in North Mankato and ensure housing is located within walking or bikeable distance to commercial-retail amenities, services, and the SCC campus. Varying housing densities and mixed commercial/industrial uses would help transition from single-family neighborhoods to the Northport Industrial Park. Additional housing goals include providing attractive and desirable residential properties that are well-designed. Economic goals include continuing to target North Port Industrial Park Growth and expanding the number and variety of businesses on Lookout Drive.

Non-Motorized connection goals include ensuring Lookout Drive non-motorized facilities connect seamlessly to the North Mankato Trail System and other facilities. Area Design Goals include implementing improvements identified in the Lookout Drive Corridor Study to accommodate increased traffic, improve user safety, and enhance aesthetics and vitality. The plan would implement a comprehensive strategy for streetscape improvement and area beautification.

Council Member Oachs moved, seconded by Council Member Whitlock, to Adopt the Lookout Drive Area Plan. Vote on the motion Oachs, Peterson, Whitlock, Steiner, and Carlson, aye, no nays. Motion carried.

Res. No. 55-23 Setting Fee for Motorized Golf Carts.

City Planner Lassonde reported that Council recently adopted an Ordinance allowing Motorized Golf Carts on City streets with a permit and on specified roadways. When the ordinance was approved, a permit fee needed to be established. The Traffic and Safety Committee met and reviewed other city permit fees and determined that a \$75.00 fee for a three-year term is in line with other permit applications and fees.

Council Member Steiner moved, seconded by Council Member Oachs, to adopt Res. No. 55-23 Setting Fee for Motorized Golf Carts. Vote on the motion Oachs, Peterson, Whitlock, Steiner, and Carlson, aye, no nays. Motion carried.

Traffic and Safety Committee Recommendations Concerning the Lor Ray/Carlson/Countryside Drive Intersection.

Public Works Director Arnold reported that during the construction of the roundabout at Howard and Lor Ray, an all-way stop was utilized at the intersection of Lor Ray Drive/Carlson Drive/Countryside Drive. The Traffic and Safety Committee noted that future plans for that intersection included a mini roundabout or the consideration of additional traffic control. The Traffic and Safety Committee recommends that the intersection at Lor Ray Drive/Carlson Drive/Countryside Drive remain an all-way stop following the roundabout completion at Howard and Lor Ray.

Council Member Steiner moved, seconded by Council Member Oachs, to approve the Traffic and Safety Committee Recommendations Concerning the Lor Ray/Carlson/Countryside Drive Intersection. Vote on the motion Oachs, Peterson, Whitlock, Steiner, and Carlson, aye, no nays. Motion carried.

Open Forum

Tom Hagen, 927 Lake Street, appeared before Council and stated that the City should remove the Ordinance concerning managed lawns. He provided Council with an email from the author of the legislation Rick Hanson which noted the law's intent was not to allow local control over the size of managed natural lawns.

Tom Hagen questioned if it is required for the golf cart owners/drivers to have insurance.

Tom Hagen stated that his solar company gives him 10%, not 7%.

City Administrator and Staff Comments

City Administrator McCann stated that Cone with a Cop will be held on Sunday, August 13th, from 2:00 – 4:00 pm at Culvers in upper North Mankato.

City Administrator McCann reported Movies in the Park will be held Friday, August 11th, at Benson Park.

City Administrator McCann encouraged everyone to support the library by eating at the New Chipotle on Lor Ray Drive.

City Administrator McCann invited everyone to the Swim Facility's last adult night on August 11th, with doors opening at 6:30 pm.

City Administrator McCann reported that the All Seasons Board Agenda for July 21st was included in the packet.

City Planner Lassonde reported the City looked into compliance with MN Statute 412.925. He stated that MN Statute 412.925 Native Landscapes requires all statutory and home rule charter cities to allow property owner to install and manage a natural landscape on private property. North Mankato's current ordinance allows the installation of Managed Natural Lawn Areas; it goes further than statute by regulating their size and placement on any particular property. City staff did request the City

Attorney to review the statute and the ordinance. City Attorney Kennedy stated that the statute requires that the City allow natural lawns, but it is silent on whether an entire property can be a natural lawn. The limit becomes open to council discretion. He stated that Mr. Hagen did speak with the law's author, but he, Attorney Kennedy, couldn't speak to the author's intentions. The intentions of the author and what is written are two different items.

City Administrator McCann reported that the Council could change the ordinance if that is what they want to do, but according to Counsel from the Attorney, it is optional. Council did not request staff to pursue changes.

Mayor and Council Comments

Council Member Steiner thanked staff for their work cleaning up after the storm and for their work for Blues on Belgrade.

Council Member Oachs said she would attend the 169 Corridor Coalition on Thursday. She also thanked the staff for their work.

Mayor Carlson stated he would also be attending the 169 Corridor Coalition.

At 8:45 pm, on a motion by Council Member Oachs, seconded by Council Member Steiner, the Council Meeting was adjourned.

Mayor

City Clerk