

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 September 5, 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 Steiner, Peterson, Oachs, Whitlock, City Administrator McCann, Finance Director Ryan, Community Development Director Fischer, Public Works Director Arnold, City Planner Lassonde, and Administrative Services Manager-City Clerk Van Genderen.

Approval of Agenda

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

Proclamation

WHEREAS, September 17, 2023, marks the two-hundred-thirty-sixth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW THEREFORE I, Scott Carlson, Mayor of North Mankato, by virtue of the power vested in me as Mayor of the City of North Mankato, do hereby proclaim September 17 through 23 as:

CONSTITUTION WEEK

And ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Approval of Council Minutes from August 21, 2023, Council Meeting.

Council Member Steiner moved, seconded by Council Member Whitlock, to approve the August 21, 2023, Council Meeting Minutes. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Approval of Council Work Session Minutes from August 21, 2023, Council Work Session.

Council Member Oachs moved, seconded by Council Member Steiner, to approve the August 21, 2023, Council Work Session Minutes. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Public Hearing, 7 pm to Consider an Ordinance Amending Title XV: Land Usage Chapter 156 Zoning Code.

Community Development Director Fischer reported to Council that the amendment would be to City Code Chapter 156.053 (3) (a), Construction and Maintenance. Currently, the code requires paved parking lots to have B Style Curb and Gutter. Staff are asking to amend the language to state that the City of North Mankato may approve an alternate curb and gutter style based on project-specific

conditions. He noted that currently, the City Code allows new streets to have alternate curb styles based on project-specific conditions.

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

Public Comments

Barb Kaus, 1109 Sunrise Drive, appeared before the City Council and thanked the City Administrator and the Council for choosing United Way to receive the donation from the US Solar program. US Solar also indicated the donations would broaden to include the four counties that United Way serves.

Martie Kaus, 525 Wheeler Avenue, appeared before the Council and stated she co-founded the Circle the Earth Recreation Organization. The organization was requesting that the Council approve an agreement allowing Circle the Earth Recreation Organization to install a seasonal skate park in the Spring Lake Park Hockey north rink. She requested the Council support the agreement.

Andrew Slocum, 309 State Street, Mankato, appeared before the Council and thanked the Council for considering allowing Circle the Earth Recreation Organization to install a temporary skate park in the north rink at Spring Lake Park.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 57-23 Accepting Donations/Contributions/Grants.
- C. Approved Audio and Block Party Permit for Megan Alvarado Arlington Block Party on September 9, 2023, from 5:00 p.m. to 10:00 p.m.
- D. Approved a Cannabinoid License for 1105 Holdings LLC, DBA Range Street Liquor, located at 1105 Range Street.
- E. Approved the Memorandum of Understanding between North Mankato and LELS Police Officers.
- F. Approved Audio Permit for Lor Ray Live at 1516 Lor Ray Drive on September 30, 2023, from 3 p.m. to 10 p.m.
- G. Approved the Minnesota River Valley Drug Task Force Joint Powers Agreement.

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

Business Items

Ordinance No. 160 Fourth Series, An Ordinance Amending Title XV: Land Usage Chapter 156 Zoning Code.

Council Member Steiner moved, seconded by Council Member Peterson, to Adopt Ordinance No. 160 Fourth Series, An Ordinance Amending Title XV: Land Usage Chapter 156 Zoning Code. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Res. No. 58-23 Adopting the Comprehensive Plan 2023.

City Planner Lassonde reported staff and the Planning Commission have been working on the Comprehensive Plan update for the past two years. He stated the plan was presented to the Council on August 21, 2023, for review and then placed back out for public comment. He noted only two

additional comments were made. One comment expressed concern about the planned industrial growth and the perceived noise and smell. The second comment requested the plan remove any multi-family housing. Mayor Carlson asked for clarification on the first comment. City Planner Lassonde stated from what he could understand from the comment, the commenter purchased a home near the planned future industrial development. He noted he did not know where the home was located. He commented that the City has a clean industrial area and plans to maintain the cleanliness. Council Member Oachs thanked the commenters but noted the City must provide housing options, including multi-family housing. Mayor Carlson stated he loved the plan and vision for the City.

Council Member Oachs moved, seconded by Council Member Steiner, to Adopt Res. No. 58-23 Adopting the Comprehensive Plan 2023. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Approve Agreement with Midwest Flag Football.

Culture, Recreation, and Quality of Life Director Heintz reported that she and Parks and Recreation Coordinator Walsh have been working on the agreement. She noted that the program was held last year, and the City is partnering with the organization to enhance the program this year. The organization will pay the City \$25.00 per kid and the City will collect concession revenue. Culture, Recreation, and Quality of Life Director Heintz noted that the staff has been working with Mankato United President Sam Barbosa to address any concerns the organization has with using the fields at the Caswell North Complex. She noted the goal is to accommodate both organizations. Council Member Peterson requested clarification on whether, instead of a per-kid payment, the organization pays for the rental of the fields. Director Heintz stated it was discussed, but the City would benefit more from the per-child amount. She noted that President Barbosa also asked the same question, but the two organizations are under different contracts. Mayor Carlson asked if the space was getting tight. Director Heintz noted that it is getting tighter, but with better management, she believed it would work. Council Member Oachs stated she supported providing additional opportunities for youth. As long as open communication is maintained by North Mankato and all the user groups, then she is for the use. She did request clarification on if too many kids begin to use the space. Director Heintz stated that the Midwest Flag Football would cut off additional members if the area becomes too stretched.

Council Member Steiner moved, seconded by Council Member Oachs, to Approve the Agreement with Midwest Flag Football. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Res. No. 59-23 Authorizing Expenditures of Public Funds for Certain Organizational Functions and Other Public Purposes.

City Administrator McCann stated the resolution authorizes the City to establish an employee recognition program, celebrate retirements, and hold holiday parties using City funds. He noted the personnel committee reviewed and recommended the policy. Mayor Carlson stated his only request was to allow for creativity with the nonmonetary items that are given in recognition. Council Member Oachs said staff deserve recognition for the work that they complete.

Council Member Steiner moved, seconded by Council Member Peterson, to Adopt Res. No. 59-23 Authorizing Expenditures of Public Funds for Certain Organizational Functions and Other Public Purposes. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Approve a Seasonal Skateboard Park Agreement with Circle the Earth Recreation Organization.

City Administrator McCann stated that the City was contacted by Circle the Earth Recreation concerning using the north hockey rink at Spring Lake Park for a seasonal skateboard park. The City developed an agreement to allow the use of the facility from approximately April 1st to November 30th, dependent upon weather. The organization will take responsibility for insurance, and the City has reserved the right to terminate the agreement with a 30-day notification. The organization has agreed to allow the bike polo tournament, which uses both rinks for one weekend during one month, to use the space. Council Member Peterson stated he thought it was a good use of the area. Council Member Whitlock supported the use of the rinks.

Council Member Peterson moved, seconded by Council Member Steiner, to Approve the Seasonal Skateboard Park Agreement with Circle the Earth Recreation Organization. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Receive Background on the Proposed Water Feature and Consider a Resolution Authorizing the Preparation of Plans and Specifications for Project No. 23-06 Benson Park Water Recirculation and Water Feature Project.

City Engineer Sarff appeared before the Council and provided an overview of the proposed project within a historical context of the current design plans. HKGI prepared the Benson Park Master Plan in 2008/2009, and it was determined to create a Natural Resource Park. Several features were proposed and completed, including a parking lot, a picnic shelter, and a fishing pier on Ladybug Lake. Features that were not completed include a water feature/interactive play area, a small bridge over the channel between Lady Bug Lake and Ladybug Bay, and a larger bridge across "Long Lake." In 2012, plans were prepared for improvements, including underground utilities, a parking lot, a water feature/interactive play area, a small bridge over the channel between Lady Bug Lake and Ladybug Bay, a fishing pier on Ladybug Lake, and trail and sidewalk improvements. The project was not bid at that time. The revised plans for the water feature/recirculating system on the upper interactive water feature would require treated water and would contain a wading pool with zero entry, an upper small water feature, a winding river feature, the lower small water feature, and a lower wading pool with vertical water spray/fountains. City Engineer Sarff reviewed the estimated costs for the features, which included the Lower Ponds & Water Features for approximately \$221,000, the Upper Ponds & Water Features for \$150,000, Trails and Walking areas for \$70,000, Bridge over Little Lady Bug Lake for \$80,000 and the Bridge over Long Lake \$250,000. Public Works Director Arnold reported challenges to the current plans, including Pool #3, which now exists and has extensive cattails and other wetland vegetation that the MN Department of Natural Resources has indicated would require wetland mitigation. The other issue is that the proposed water features require water treatment, which creates a water supply question and challenges. The water would need to be treated, so there would be additional cost and maintenance needs. Using potable water to supply the system could impact the water system. With the possible wetland mitigation, the City could not start the project until 2024. He also noted that Community Development would be reviewing and updating the Parks Plan, which might be an excellent time to take a look at Benson Park and review the plans for the park. City Engineer Sarff noted that when the original Benson Park Plan was created, the splash pad was not in place, and the swim facility upgrades had not occurred. He indicated that the interactive water feature at Benson Park might be redundant. Council Member Peterson stated the interactive water feature may not be needed. If the idea is natural play, maybe keep it natural. Council Member Steiner indicated he thought the park should stay more natural. Council Member Oachs thought revisiting the plan and considering more natural options would be good. She stated she had received concerns about the

number of memorial benches in Benson Park because it made people sad. She suggested providing the option for residents to plant trees or support the parks in other ways. Public Works Director Arnold noted that it is an option that staff have been offering. City Administrator McCann stated he was hearing a consensus that the Council did not want to move forward with the proposed water feature but instead use the Parks Plan to review the park and provide direction.

Res. No. 60-23 Accepting Bid Rehabilitation of Well No. 7.

City Engineer Sarff reported requests for proposals for the Well No. 7 Rehabilitation project were sent to two (2) contractors, Traut Companies and Bergerson-Caswell, Inc. The proposal consisted of a base bid for general maintenance of the well, alternative add Item No. 1 for removal of sand accumulated in the well borehole, and Add Item No. 2 for replacement of the well pump and motor. One bid was received from Bergerson-Caswell, Inc. Traut Companies declined to bid, citing workload issues. The base bid was \$95,440, Add Item No. 1 was \$25,000, and Add Item No. 2 was \$47,880. Well, No. 7 was last rehabilitated in 2016. Due to the timing, the staff recommends approving Add Item No. 1 and rejecting Add Item No. 2. The pump and motor appear to be in good condition, but once the pump is pulled, if it needs to be repaired or replaced, staff will do so at that time.

Council Member Steiner moved, seconded by Council Member Oachs, to Adopt Res. No. 60-23 Accepting Bid Rehabilitation of Well No. 7. Vote on the motion Steiner, Peterson, Oachs, Whitlock, and Carlson, aye, no nays. Motion carried.

Open Forum

Tom Hagen, 927 Lake Street, appeared before the Council and recommended establishing a park board.

City Administrator and Staff Comments

Public Works Director Arnold noted the roundabout is open.

City Administrator McCann invited everyone to Symphony on the Prairie on Saturday, September 9th, from 6:00-7:30 p.m. at Benson Park.

City Administrator McCann stated Music in the Park for September starts Thursday, September 7th, from 5:00 – 7:00 pm at Wheeler Park.

City Administrator McCann reported registration is now open for the 2023 Youth Wrestling Season; more information can be found on the Caswell website.

City Administrator McCann thanked everyone who participated in the roundabout ribbon cutting on Friday.

City Administrator McCann thanked the seasonal staff for all of their hard work during the summer.

Mayor and Council Comments

Council Member Peterson requested clarification on the request from Ms. Peterson concerning the Pack the Stands event and if the City would donate their portion of the concession stand funds to the charitable cause. City Administrator McCann stated the City has only collected the funds once and will not collect it.

Council Member Oachs encouraged everyone to be aware of kids at the start of the new school year.

Council Member Steiner requested tighter enforcement on speeding and noise on Sherman Street.

Council Member Whitlock also requested tighter enforcement on speeding and noise.

Mayor Carlson requested an update on when the water meter discussion would return to the Council. City Administrator McCann reported the plan is to bring the topic back during the budget discussion on utilities. Mayor Carlson also requested clarification on the current language concerning the per hour for City workers to install a meter. City Administrator McCann reported it is per property, so an inside and outside meter would count as one property. In contrast, someone with a rental property and multiple houses would be considered multiple properties.

At 8:13 p.m., on a motion by Council Member Oachs, seconded by Council Member Steiner, the Council Meeting adjourned to closed session Under Minnesota Statutes Section 13D.03 Closed Meetings for Labor Negotiations Strategy, Subd. 1 (b) to consider a strategy for labor negotiations, including a review of labor negotiation proposals.

Mayor

City Clerk