

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on November 7, 2022. Mayor Dehen called the meeting to order at 7:00 pm, asking everyone to join the Pledge of Allegiance. The following were present for roll call: Council Members Steiner, Norland, Oachs, Whitlock, City Administrator McCann, Interim Finance Director Ryan, Community Development Director Fischer, and City Clerk Van Genderen.

**Approval of Agenda**

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

**Approval of Council Minutes from October 17, 2022, Council Meeting.**

**Council Member Oachs moved, seconded by Council Member Norland, to approve the Council Meeting Minutes of October 17, 2022. Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

**Approval of Council Work Session Minutes from October 24, 2022, Council Work Session.**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the Council Work Session Meeting Minutes of October 24, 2022. Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

**Public Hearing, 7 pm Project No. 22-03 ABCDEF Somerset Lane Street and Utility Improvement Hearing.**

City Engineer Sarff reported the project would be Somerset Lane, which was previously Township Road T-121, extending from Lookout Drive to approximately one mile east of Lookout Drive. The right of way was annexed when the Reserve Subdivision was platted in 2007. Somerset Lane from Lookout Drive to Lor Ray Drive was designated as a Municipal State Aid Street in 2019. As the community grows, Somerset Lane will serve as a significant vehicular and pedestrian/bicycle route.

Proposed Sanitary improvements include extending the 10” and 12” sanitary sewer on Somerset Lane from existing sanitary sewers at Lor Ray Drive and Lexington Lane. The extensions will provide sanitary sewer service to properties adjacent to Somerset Lane. New sanitary sewer stubs will allow future extensions to the west, east, and north.

Proposed Watermain improvements include extending the 12” diameter PVC watermain along Somerset Lane from Lookout Drive to the east edge of the Reserve Subdivision and connecting to existing water mains on Lor Ray Drive and Lexington Lane. The extension would provide water service to properties adjacent to Somerset Lane and will provide extensions into future development areas west, east, and north of Somerset Lane.

Proposed Storm Sewer improvements include converting the existing rural roadway section to an urban street section with a curb and gutter, which would require storm sewer improvements. The proposal consists of constructing a storm sewer ranging in size from 12 to 48 inches in diameter, constructing inlets at low points and intermediate points along the new curb, and constructing new manholes. The system will be sized to accommodate 1.0 cubic feet (CFS) per acre of stormwater drainage, accommodating future development areas.

Storm Water Management will be necessary to reconstruct Somerset Lane due to the increased impervious area. The plan must meet the MPCA National Pollutant Discharge Elimination System (NPDES) permit and the City’s municipal Separate Storm Sewer System (MS4) Permit. The

recommended option is to utilize the existing Reserve Subdivision stormwater pond. The existing pond was initially designed to accommodate drainage from portions of Somerset Lane and areas to the north. Modeling shows minimal impact on pond levels and no impact on existing homes adjacent to the pond.

Street and Surface improvements include a 40-foot-wide bituminous street with a concrete curb and gutter and one traffic lane in each direction. An 8' wide concrete sidewalk along the north side and an 8' wide bituminous trail along the south side. New streetlights would also be included.

City Engineer Sarff reported the estimated cost for the project is \$4,316,000, with the City receiving Local Road Improvement Program (LRIP) Funds of \$125,000 and Municipal State Aid Advance of \$200,000, leaving approximately \$3,991,000 in special assessments and bonds. Assessments will be based on assessment policy.

Mayor Dehen requested clarification on if the LRIP Funds could be used on a different project. City Engineer Sarff reported that they could not be used for other projects.

Mayor Dehen requested the number of current utility hookups and homes would currently be impacted. City Engineer Sarff reported there are no current homes it would all be future.

A letter was received from property owners along Somerset Drive and was read into the record.

Dan Sarff  
Kevin McCann  
Michael Fisher  
City Council North Mankato

November 7, 2022

RE: Somerset Lane Project 2023  
Project 22-03

Dear City Officials,

We are the owners of parcel id 01.034.0305 just west of the "Reserve" in North Mankato, MN. All the owners are in receipt of the public hearing notice for the 2023 project on Somerset Lane, N. Mankato, MN.

Julie Johnson also participated in a video call with the above-named city officials to review the details of the Somerset Lane Project. At this time, the owners request that no assessment be done until our parcel is annexed into the City of N. Mankato per MN State Statute 429 Section 052. We also request no interest accrue during the period of time of the assessment until the property is annexed into the City of N. Mankato.

The owners are concerned that reconstruction of this road now is not in the best interest of the City of N. Mankato. Developers are backing away from property sales due to the high cost of land, financing and infrastructure costs. Our land had a purchase agreement cancelled this summer (2022) due to the high infrastructure costs. We do agree that the City is growing to the North, however we would caution the City to wait until there are actual homes being built on the north side of Somerset Lane to rebuild the road. The City may end up with a road that is 5, 10 or 20 years old before the land develops fully and then the land owners may have to be assessed again to reclaim the road. It is better to wait at this time that learn a very expensive lesson.

If any City Council members wish to contact the owners, I have provided our phone number and emails below. Thank you in advance for your consideration.

Kevin & Julie Johnson, 320-248-5245 [jjfarm65@gmail.com](mailto:jjfarm65@gmail.com)

Keith & Cheri Johnson, Aurora, MN

Joe & Karen Chester, N Mankato, MN

Kirby Johnson, Lake George, MN

With no one else appearing before Council, the Mayor closed the hearing.

### **Consent Agenda**

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

- A. Bills and Appropriations.
- B. Res. No. 94-22 Approving Donations/Contributions/Grants.
- C. Res. No. 95-22 Approving Consent Assessment-357 Forest Lane.
- D. Res. No. 96-22 Approving Consent Assessment-620 Range Street.

**Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

### **Public Comments Concerning Business Items on the Agenda.**

Barb Church, 102 Wheeler Avenue, appeared before Council and stated the partial redemption of the outstanding G.O. Bond and other items such as the recreation center, and increasing the local option sales tax from 9 million to 15 million should wait until after the new year because there would be a new mayor and maybe two new Council Members and those decisions should not be made until later.

### **Business Items**

**Res. No. 97-22 Ordering Improvement and Preparation of Plans for Project No. 22-03 ABCDEF 2023 Somerset Lane Street and Utility Improvement Project.**

Council Member Oachs indicated she was not in favor of moving forward with the project, instead pushing the project 2 or 3 years down the road. She stated she was unsure about the cost-benefit.

Council Member Norland said she was in favor of the project because it is important to have the assets prepared for future development.

Council Member Oachs noted that the City needs to be prepared to take on additional responsibility for the All Seasons Arena's improvement.

Mayor Dehen suggested the City move forward with going out to bid because the City is not obligated to proceed with the project.

City Administrator McCann stated that the project could proceed with preparations and have a project ready for future development. He also addressed the concerns about assessments and interests accrual. He noted that the current practice is to defer the assessment until the land is brought into the City, and the interest does not accrue until it is annexed.

**Council Member Norland moved, seconded by Council Member Steiner, to Adopt Res. No. 97-22 Ordering Improvement and Preparation of Plans for Project No. 22-03 ABCDEF 2023**

**Somerset Lane Street and Utility Improvement Project. Vote on the motion Steiner, Norland, Whitlock, and Dehen aye, Oachs nay. Motion carried.**

**Res. No. 98-22 Calling for the Partial Redemption of the Outstanding Taxable General Obligation Tax Increment Bonds, Series 2010D.**

Interim Finance Director McCann reported that Financial Consultant Omdal suggested the early partial repayment of G.O. Tax Increment Bonds, Series 2010D, which would save the City \$37,000 in interest. City Administrator reported that only a portion of the bond would be refunded as the other part is tied to a TIF District that is still active.

**Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Res. No. 98-22 Calling for the Partial Redemption of the Outstanding Taxable General Obligation Tax Increment Bonds, Series 2010D. Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

**Res. No. 99-22 Granting Spectrum Mid-American, LLC A Franchise Extension through February 28, 2023.**

City Administrator McCann stated he would discuss this resolution and the following one together. He noted that the franchise agreements have expired and are currently on an extension. Still, due to staffing changes, the extension must be extended until February 2023 to finalize the new contracts. Franchise payments have continued, but the new agreement is still being worked on.

**Council Member Steiner moved, seconded by Council Member Oachs, to Adopt Res. No. 99-22 Granting Spectrum Mid-American, LLC A Franchise Extension through February 28, 2023. Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

**Res. No. 100-22 Granting Consolidated Communications, Inc. A Franchise Extension through February 28, 2023.**

**Council Member Oachs moved, seconded by Council Member Norland, to Adopt Res. No. 100-22 Granting Consolidated Communications, Inc. A Franchise Extension through February 28, 2023. Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

**Res. No. 101-22 Local Government Resolution Business Development Infrastructure Application.**

Community Development Director Fischer reported that the Port Authority continues to market land in the North Port Industrial Park. Marketing issues include the developers' additional need to construct stormwater drainage. The resolution would allow the City to apply for a Business Development Infrastructure Application to the Department of Employment and Economic Development for funding of the project. The BDIA funds would need to be matched by the City of North Mankato. The total estimated cost of the project is \$365,000, the BDIA funds would cover \$170,000, and the City would fund the remaining portion of approximately \$195,000 out of the Storm Water Fund.

**Council Member Oachs moved, seconded by Council Member Norland, to Adopt Res. No. 101-22 Local Government Resolution Business Development Infrastructure Application. Vote on the motion Steiner, Norland, Oachs, Whitlock, and Dehen aye, no nays. Motion carried.**

**Open Forum**

Tom Hagen, 927 Lake Street, appeared before Council and requested Council issue an apology for pursuing the clean-up of a property.

**City Administrator and Staff Comments**

City Administrator McCann reminded everyone that elections would be on November 8, 2022, to get out and vote.

City Administrator McCann reported that three-day garbage pick-up began the week of October 31, 2022. There were some minor issues, but the change is continuing.

City Administrator McCann invited everyone to Coffee with a Cop on Saturday, November 19<sup>th</sup>, from 10 am to noon at Caribou Coffee on Commerce Drive.

City Administrator McCann reminded residents that City Hall and Taylor Library would be closed on Friday, November 11<sup>th</sup>, in observance of Veterans Day.

**Mayor and Council Comments**

Council Member Oachs thanked the City crews for their work completing leaf pickup.

Council Member Whitlock reported that the biweekly business meeting welcomed MnDOT District 7 to the forum to discuss the 169 Corridor. He stated that the final plan appears to close Lind and makes North River Drive a full intersection, and Webster Avenue will remain a full-access intersection.

Council Member Steiner requested a Council Work Session to discuss the natural lawn ordinance and concerns that Cottage Glen has concerning their payment for a fire hydrant repair.

Mayor Dehen congratulated West Football on returning to State, and the East Cross Country win at state.

At 7:46 pm, on a motion by Council Member Norland, seconded by Council Member Oachs, the Council Meeting was adjourned.

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Mayor

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City Clerk