

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 February 22, 2011. Acting Mayor Steiner called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for the meeting, Council Members Freyberg, Steiner, Norland and Schindle, City Administrator Sande, Finance Director Mork, City Clerk Gehrke, Attorney Kennedy and Planner Fischer. Absent: Mayor Dehen and Engineer Malm.

Approval of Minutes

Council Member Norland moved, seconded by Council Member Freyberg, to approve the minutes of the Council meeting of February 7, 2011. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried. Council Member Freyberg asked if the City of Mankato is a member of the Minnesota Water Agency Response Network. Administrator Sande will research and report to the Council.

Correspondence

Thank-You Letter from the City of Skyline

Acting Mayor Steiner read a letter from the City of Skyline thanking the City for allowing them to use the Council Chambers while their City Hall was under construction.

Public Hearing, 7 p.m. – Amendment of Storm Water Ordinance

The Acting Mayor opened the public hearing to consider the amendment to the Storm Water Ordinance. An Affidavit of Publication for the Notice of Public Hearing was included in the packets. Construction Inspector Marion Haayer reviewed the proposed ordinance codifying various definitions and requirements for storm water management. He reported the adoption of this ordinance is required under the terms of the City's MS4 permit. Council Member Freyberg asked if the vegetative cover for disturbed areas required native plantings. The word "native" will be removed from Item 54.05.C.6. since native plantings are not required. With no one else appearing before the Council, the Acting Mayor closed this portion of the meeting.

Ord. No. 35, Fourth Series, Amendment of Storm Water Ordinance

Council Member Norland moved, seconded by Council Member Schindle, to adopt Ord. No. 35, Fourth Series, Amendment of Storm Water Ordinance. Vote on the Ordinance: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.

Open the Meeting to the Public for the First Time

The Acting Mayor opened the meeting to the public for the first time with no one appearing.

Nicollet County Board Action

Administrator Sande reported the Nicollet County Board approved the T.H. 14/CSAH 41 Interchange Plan at their Board meeting of February 22, 2011.

Staff Reports

City Planner

Set Public Hearing for 7 p.m. on Monday, April 4, 2011 to Amend the HUD Consolidated Plan

Planner Fischer reported that as a Department of Housing and Urban Development (HUD) Entitlement Community, the City was required to submit to HUD a 2010-2014 Consolidated Plan which is used as a guideline as to how the City will utilize Community Development Block Grant (CDBG) funds. Since the City is proposing to allocate future CDBG funds to the Small Business

Development Center (SBDC) to assist North Mankato businesses, and this use was not identified in the Consolidated Plan, it is necessary to amend the Consolidated Plan accordingly. The proposed amendment is the result of a cooperative agreement with South Central College Center for Business and Industry, Minnesota State University-Mankato, Region 9 and the State of Minnesota Department of Employment and Economic Development to provide support for the Small Business Development Center. **Council Member Norland moved, seconded by Council Member Schindle, to set a public hearing for 7 p.m. on Monday, April 4, 2011 to amend the HUD Consolidated Plan. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Set Public Hearing for 7 p.m. on Monday, April 4, 2011 to Approve 2011 Community Development Block Grant Program (CDBG) Action Plan

Planner Fischer reported it is necessary to develop a 2011 Action Plan for use of 2011 Community Development Block Grant Entitlement funds which requires a public hearing as per HUD guidelines. **Council Member Schindle moved, seconded by Council Member Norland, to set a public hearing for 7 p.m. on Monday, April 4, 2011 to consider the 2011 Community Development Block Grant Program (CDBG) Action Plan. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

City Administrator

Res. No. 17-11 Accepting Petition for Annexation and Setting Public hearing for 7 p.m. on Monday, March 21, 2011 for Rist Property, 50.40 Acres

Administrator Sande presented Resolution No. 17-11 accepting petition for annexation of the Rist property and requested a public hearing be set to consider this annexation request. This is a 50.40-acre parcel to be used for the expansion of the Northport Industrial Park. Notification of the public hearing for the proposed annexation has been sent to the affected property owners. **Council Member Schindle moved, seconded by Council Member Freyberg, to adopt Resolution No. 17-11 Accepting Petition and Setting a Public Hearing for 7 p.m. on Monday, March 21, 2011 for the Annexation of the Rist Property, 50.40 acres. Vote on the Resolution: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Set Board of Appeal and Equalization Meeting for 8:30 a.m. on Thursday, April 28, 2011, Police Annex Community Room

Administrator Sande presented a letter from the Nicollet County Assessor setting the Board of Appeal and Equalization meeting for 8:30 a.m. on Thursday, April 28, 2011 in the North Mankato Police Annex Community Room. This is an opportunity for property owners to discuss the assessed market value of their property with County personnel and members of the Board of Appeal and Equalization. **Council Member Schindle moved, seconded by Council Member Norland, to set the Board of Appeal and Equalization meeting for 8:30 a.m. on Thursday, April 28, 2011 in the Police Annex Community Room. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Operating Agreement with ISD 77 for Caswell Park North

Administrator Sande presented the proposed Operating Agreement with ISD 77 for Caswell Park North Subdivision and a site plan of the Caswell Park North Soccer Complex. The Agreement provides the framework for the City in cooperation with the Soccer Association to develop a soccer complex on Outlot A of Caswell Park North Subdivision. The proposed Agreement provides for soccer fields on the parcel acquired by District 77 for its proposed elementary school. The purchase of the school site was authorized by the voters in the last school referendum. That referendum also

provided for the construction of Rosa Parks Elementary on the east side of Mankato and resulted in an agreement between the City of Mankato and District 77 for athletic facilities on that site. It was agreed that the City of Mankato would develop baseball fields at the Rosa Parks site and that North Mankato would focus on a soccer complex on the North Mankato site. The Agreement provides for a three-year construction window for the complex. The Administrator reported the engineers are working on a grading plan for the site under a contract previously approved by the City Council. As part of the Caswell Sports Complex the site is eligible for the use of sales tax dollars. The City will be responsible for the parking lot used for soccer. **Council Member Norland moved, seconded by Council Member Schindle, to approve the Operating Agreement with Independent School District 77 for Caswell Park North Subdivision. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

2010 Police Department Annual Report

Police Chief Boyer appeared before the Council and recapped the North Mankato Police Department 2010 Annual Report. He reported a total of 3,213 calls, an increase of 145 calls from 2009. Seatbelt violations became a primary offense in June 2009 and citations for this offense increased to 210 from 99 in 2009. Chief Boyer reported the North Mankato Police Reserve worked a total of 1,503.25 hours in 2010 which saved many overtime hours in the Police Department. Council Member Freyberg asked the Police Chief what the action plan is if the Rapidan Dam collapses. Emergency Management Director Haayer was in attendance at the meeting and responded to this concern reporting because of the build-up of silt, the collapse of the Rapidan Dam would affect the rise of the river in the North Mankato area only by six inches.

Authorize Purchase of Police Vehicles

Administrator Sande presented a request for the purchase of two (2) 2011 Ford Crown Victorias in the amount of \$44,638 from Mankato Ford for the Police Department. He reported this is the last production year for this model. Council Member Freyberg asked if consideration was given to the purchase of all-wheel drive vehicles. Chief Boyer reported the Chevrolet Caprice is one of the replacement police vehicles but the officers have not had a chance to try out any new vehicles. Administrator Sande reported the patrol vehicles were included in the 2011 Budget in the Equipment Certificates Fund in the amount \$56,000. **Council Member Norland moved, seconded by Council Member Freyberg, to authorize the purchase of two (2) 2011 Ford Crown Victorias from Mankato Ford in the amount of \$44,638. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Naming of Nicollet Avenue Park

Administrator Sande reported at the Council Workshop of October 4, 2010, the preliminary plan for the playground adjacent to Water Plant No. 1 on Nicollet Avenue was introduced. As outlined, the proposal calls for the playground from the 900 Block of South Avenue to be relocated to an area adjacent to Water Plant No. 1 on Nicollet Avenue. In addition to play structures within the playground area, the proposal calls for the installation of a parent's bench and an additional seating area for outdoor library story hours. Based on the proposed use, the name Storybook Park is recommended for the Council's consideration. The Administrator reported, upon completion of Storybook Park, the play structures from the South Avenue tot lot will be removed in anticipation of constructing the new well house and storage facility at Well No. 5. **Council Member Norland moved, seconded by Council Member Freyberg, to name the Nicollet Avenue Park Storybook Park. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Schools and Conferences

Council Member Schindle moved, seconded by Council Member Norland, to approve actual and necessary expenses for the following schools and conferences:

1. Design of Stormwater Pollution Prevention Plans, Arden Hills, May 16-17, for Assistant Construction Inspector.
2. Taser Instructor Recertification, Edina, May 6, for one Patrol Officer.
3. Certified Food Manager Class and Exam, New Ulm, April 14, for Deputy City Clerk.
4. Forest Pest First Detector, Hutchinson, March 10, for Park Superintendent.
5. Playground Safety Workshop, North Mankato, March 31 for Park Superintendent.
6. Basic Sales & Use Tax Workshop, Mankato, April 19, for Senior Account Clerk and Account Clerk.

Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.

City Clerk

Audio and Large Group Permit for ISJ Picnic, Wheeler Park, Thursday, August 11, 2011

Clerk Gehrke presented a request from ISJ for an audio and large group permit to hold the ISJ Picnic at Wheeler Park from 8 a.m. to 10 p.m. on Thursday, August 11, 2011. **Council Member Schindle moved, seconded by Council Member Freyberg, to approve the audio and large group permit for the ISJ Picnic to be held at Wheeler Park from 8 a.m. to 10 p.m. on Thursday, August 11, 2011. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Acting Mayor Steiner reported the Deputy City Clerk, Lynette Peterson, gave birth to a baby boy, Jacob Thomas, on Saturday, February 19, 2011.

Finance Director

Res. No. 18-11 Declaring Costs to be Assessed for Municipal Charges – 205 Queens Court

Finance Director Mork presented Resolution No. 18-11 for costs to be assessed in the amount of \$185.00 for mowing, plumbing permit and water meter replacement at 205 Queens Court. **Council Member Norland moved, seconded by Council Member Schindle, to adopt Resolution No. 18-11 Declaring Costs to be Assessed for Municipal Charges for 205 Queens Court. Vote on the Resolution: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Res. No. 19-11 Declaring Costs to be Assessed for Municipal Charges – 2149 and 2153 LorRay Drive

Finance Director Mork presented Resolution No. 19-11 for costs to be assessed in the amount of \$600.00 for mowing at 2149 and 2153 LorRay Drive. **Council Member Norland moved, seconded by Council Member Schindle, to adopt Resolution No. 19-11 Declaring Costs to be Assessed for Municipal Charges for 2149 and 2153 LorRay Drive. Vote on the Resolution: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.**

Report from Council Members

Council Member Freyberg

Council Member Freyberg reported the first Intergovernmental Meeting with Mankato was held on Wednesday, February 16, 2011. The minutes of the meeting are on the City website www.northmankato.com under Council Minutes. Council Member Norland inquired about two items

in the minutes: Veterans Bridge to be used for viewing of the fireworks and the contribution of in-kind services for the Veterans Memorial Park. She asked that these items be brought before the entire Council prior to any final action. She also noted an incorrect spelling of the name mentioned in the VFW Fundraiser section of the minutes. The name should read Terry Homer. Council Member Freyberg reported the items would be brought before the Council before any action was taken.

Open the Meeting to the Public for the Second Time

Kim Spears, 916 South Avenue

Kim Spears, 916 South Avenue, appeared before the Council and stated he is not familiar with the Small Business Development Center (SBDC). Administrator Sande reported this regional entity operates through Minnesota State University-Mankato, South Central College, Region 9 and the State of Minnesota Department of Employment and Economic Development to provide support for small businesses in our region.

Mr. Spears asked about funding for the maintenance of the soccer fields. Administrator Sande reported the capital improvements for the soccer field would be funded from the Sales Tax Fund and the maintenance of the soccer field would be funded from the General Fund. He reported portions of the funding would be offset from concession revenue, soccer fees and hotel/motel receipts.

Bills and Appropriations

Council Member Norland moved, seconded by Council Member Freyberg, to approve all bills and appropriations in the amount of \$222,511.96. Vote on the motion: Freyberg, Steiner, Norland and Schindle, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:02 p.m.

Acting Mayor

City Clerk