

Oath of Office for Newly Elected Mayor and Council Members

District Court Judge Bradley C. Walker administered the oath of office to the newly elected Mayor Mark Dehen and Council Member Bob Freyberg and the re-elected Council Member Diane Norland.

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 January 3, 2011. Mayor Dehen 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, Mayor Dehen, Council Members Steiner, Norland, Schindle and Freyberg, City Administrator Sande, Finance Director Mork, City Clerk Gehrke, Engineer Malm, Attorney Kennedy and Planner Fischer.

Approval of Minutes

Council Member Schindle moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of December 20, 2010. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Correspondence**Thank-You Letter from Twin Rivers Council for the Arts**

Mayor Dehen summarized a letter from the Twin Rivers Council for the Arts thanking the City of North Mankato for its generous contribution of \$12,500.

Public Hearing, 7 p.m. – Amending Code of Ordinances

Mayor Dehen opened the public hearing to consider amending the Code of Ordinances. A notice of public hearing was published in the official newspaper and the Affidavit of Publication was included in the Council packet. Planner Fischer presented a summary of the changes (Exhibit A) during 2010 noting all ordinances adopted by the Council during 2010 are included in the amendments to the Code of Ordinances. Kim Spears, 916 South Avenue, asked for clarification of the 180-day completion requirement for exterior work after the issuance of a building permit and suggested a one-year timeframe. In response to a question about the removal of civil service regulations in Chapter 32.01, Attorney Kennedy reported the Civil Service Commission was not established according to Minnesota statute. The Attorney's research memo on this subject will be distributed to the City Council. There being no one else appearing before the Council, the Mayor closed this portion of the meeting.

Open the Meeting to the Public for the First Time**Greg Steen, 248 Nicollet Avenue, #4**

Greg Steen, 248 Nicollet Avenue, #4, appeared before the Council and requested a large group permit for North Shore Promotions to hold a 3-on-3 Pond Hockey Tournament at Wheeler Park on February 12 and 13, 2011. He reported the tournament will need five ice rinks for the tournament. He is currently speaking to sponsors about donations and advertising for the tournament and working with the Boy Scouts and WisPak to serve refreshments. The money raised at this tournament will benefit youth hockey. **Council Member Schindle moved, seconded by Council Member Norland, to approve the large group permit for the North Shore Promotions to hold a 3-on-3 Pond Hockey Tournament contingent on the necessary liability insurance in place. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Staff Reports**City Administrator****Res. No. 01-11 Designating Official Newspaper**

Administrator Sande presented Resolution No. 01-11 designating an official newspaper for the City of North Mankato for 2011 legal announcements and publications. Where permitted, announcements and publications will be placed on the City's web site. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 01-11 Designating *The Mankato Free Press* as the official newspaper for the City of North Mankato. Vote on the Resolution: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Res. No. 02-11 Designating Depositories for City of North Mankato

Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 02-11 designating the following banks as City depositories: Frandsen Bank & Trust, US Bank, Wells Fargo, First National Bank Minnesota, Pioneer Bank, Voyager Bank, Community Bank of Vernon Center, Minnstar Bank NA, TCF Bank FSB, Wells Federal Bank FSB, Northern Star Bank and United Prairie Bank. Vote on the Resolution: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Property/Casualty Insurance Dividend

Finance Director Mork reported the League of Minnesota Cities Insurance Trust notified the City of a property/casualty insurance dividend in the amount of \$33,937 for 2010 from a total 2010 premium of \$141,175. A historical recap of the premiums paid and dividends received for the period 2001-2011 was presented.

Charter Communications Rate Changes

Administrator Sande presented a rate change notice from Charter Communications. He reported Charter is required to make notice under our Franchise Agreement of rate changes. The rate changes are effective January 18, 2011 with the monthly premium programming pricing adjusted for HBO/Cinemax, Showtime/The Movie Channel, Starz/Encore and an increase for two premium services and three premium services. The Sports View will increase from \$5 to \$10 per month for new customers with current customers remaining at their current price of \$5 for a period of six months.

Audit Engagement Letter with Abdo, Eick & Meyers for Year Ending December 31, 2010

Administrator Sande presented a letter from Abdo, Eick & Meyers outlining the audit services to be provided to the City of North Mankato for year ended December 31, 2010 at an estimated cost of \$28,300. Cost of the auditing services is billed at the standard hourly rate plus out-of-pocket costs. He reported the Audit Engagement Letter considered at the December 20, 2010 meeting was for a three-year period and was tabled in order to request a proposal from Abdo, Eick & Meyers for a one-year period. Kyle Meyers of Abdo, Eick & Meyers has submitted the proposal as a one-year engagement at no increase in cost from the prior year. **Council Member Steiner moved, seconded by Council Member Norland, to approve the audit engagement letter for year ended December 31, 2010. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Res. No. 03-11 Authorizing the City of North Mankato to Act as Sponsoring Agency for the T.H. 14 Bike Trail “Transportation Enhancements” Project

The City Engineer presented the ATP Funding Application for the T.H. 14 Bike Trail reporting this is a 1.4-mile multi-purpose bituminous trail running along T.H. 14 and T.H. 169 from LorRay Drive to W. Lind Street which is identified as a pending project in the MATAPS update. The trail would connect upper North Mankato to lower North Mankato and also provide a connection for trail users in upper North Mankato to access the regional trail system. Administrator Sande reported this project is included in the 2011-2015 Five-Year Capital Improvement Plan. Council Member Freyberg asked about the matching funds in the amount of \$214,838.49 and the maintenance costs of the trail. Administrator Sande reported the matching funds could come from MSA funds and the City would be responsible for the maintenance of the trail. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 03-11 Authorizing the City of North Mankato to Act as Sponsoring Agency for the T.H. 14 Bike Trail “Transportation Enhancements” Project. Vote on the Resolution: Steiner, Norland, Schindle and Dehen, aye; Freyberg nay. Motion carried.**

Res. No. 04-11 Agreeing to Maintain the T.H. 14 Bike Trail “Transportation Enhancements” Project

Administrator Sande reported as part of the ATP Funding Application, the City of North Mankato must agree to assume full responsibility for the operation and maintenance of the T.H. 14 Bike Trail should it be constructed. Council Member Schindle asked if standard maintenance of the trail would include plowing snow from the trail. Administrator Sande reported this would be a Council policy matter. **Council Member Norland moved, seconded by Council Member Schindle, to adopt Resolution No. 04-11 Agreeing to Maintain the T.H. 14 Bike Trail “Transportation Enhancements” Project. Vote on the Resolution: Steiner, Norland, Schindle and Dehen, aye; Freyberg nay. Motion carried.**

Res. No. 05-11 Authorizing the City of North Mankato to Act as Sponsoring Agency for the Northridge Ravine Restoration “Transportation Enhancements” Project

Engineer Malm presented the ATP Funding Application for the Northridge Ravine Restoration Project reporting the Northridge ravine complex conveys stormwater runoff from a large watershed which includes residential and commercial development, agriculture land, City and County roads and a large section of T.H. 14. Administrator Sande reported because of the size of the ravine and the scope of the improvements required, it is proposed that restoration of the entire Northridge ravine system be divided into phases that are feasible to accomplish. In prior construction years, initial phases of the ravine stabilization leading southwesterly from the intersection of T.H. 14 and Lookout Drive have been completed. The current Five-Year Capital Improvement Plan calls for an additional project to extend the area to be stabilized. Council Member Freyberg reported the ravine in his neighborhood no longer has any wood ducks or other wild animals because the water has been drained. In response to Council Member Freyberg’s question about the replacement of the pipes in his neighborhood ravine, Administrator Sande reported the manufacturer is responsible for the cost of the replacement. **Council Member Steiner moved, seconded by Council Member Schindle, to adopt Resolution No. 05-11 Authorizing the City of North Mankato to Act as Sponsoring Agency for the Northridge Ravine Restoration “Transportation Enhancements” Project. Vote on the Resolution: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Res. No. 06-11 Agreeing to Maintain the Northridge Ravine Restoration “Transportation Enhancements” Project

Administrator Sande reported that as part of the ATP Funding Application, the City of North Mankato must agree to maintain the Northridge Ravine Restoration Project. **Council Member Schindle moved, seconded by Council Member Norland, to adopt Resolution No. 06-11 Agreeing to Maintain the Northridge Ravine Restoration “Transportation Enhancements” Project. Vote on the Resolution: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

City Clerk

Set Council Workshop for January 18, 2011

Clerk Gehrke reported the Mayor and Council Committee Assignments for 2011 will be discussed at an upcoming Council Workshop. **Council Member Steiner moved, seconded by Council Member Norland, to set a Council Workshop for 6 p.m. on Tuesday, January 18, 2011. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Report from Council Members

Council Member Steiner

Council Member Steiner congratulated Mayor Dehen and Council Member Freyberg and welcomed them to the City Council.

Council Member Norland

Council Member Norland congratulated Mayor Dehen and Council Member Freyberg.

Council Member Norland thanked the Street Department for the work they did removing snow during the holidays.

Council Member Schindle

Council Member Schindle welcomed Mayor Dehen and Council Member Freyberg to the City Council.

Council Member Freyberg

Council Member Freyberg congratulated Mayor Dehen and Council Member Norland.

Council Member Freyberg reported he heard the Governor speak about the State budget deficit. He thanked City staff for the work they have done on the 2011 Budget reporting additional cuts may be necessary because of the State deficit.

Report from Mayor

Board and Committee Appointments

Council Member Schindle moved, seconded by Council Member Steiner, to appoint David Trask and Stephanie Stoffel to four-year terms on the Planning Commission and Bill Borchardt to a one-year term on the Traffic & Safety Committee. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Open the Meeting to the Public for the Second Time

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

Bills and Appropriations

Council Member Steiner moved, seconded by Council Member Norland, to approve the end-of-month bills and appropriations in the amount of \$387,029.92. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Council Member Steiner moved, seconded by Council Member Norland, to approve the January 3, 2011 bills and appropriations in the amount of \$220,806.69. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:10 p.m. on a motion by Council Member Schindle, seconded by Council Member Norland. Vote on the motion: Steiner, Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Mayor

City Clerk