

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 18, 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 Norland, Schindle, Freyberg and Steiner, City Administrator Sande, City Clerk Gehrke, Finance Director Mork, 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 January 3, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Correspondence – none.

Open the Meeting to the Public for the First Time

Chris Corley, Historic Parks Committee Report

Chris Corley, Member of the Historic Parks Subcommittee, appeared before the Council and presented the Historic Parks Committee Report. He gave a park recommendations overview which included: Presentation and interpretation of local history, identity, and sense of place; Creation of a park culture that links Belgrade Business District, Lower North Mankato Neighborhoods and the parks into a coherent whole; biodiversity and urban reforestation; sustainability; re-establishment of native species; minimization of maintenance that utilizes fossil fuels; the integration of historic and green initiatives into the existing fabric of the parks while retaining their operable characteristics. The thematic recommendations include: Establish green infrastructure; establish, develop, and maintain brand identity of parks; and link parks to Belgrade Business District, neighborhoods and trails. The Historic Parks Subcommittee is recommending a craftsmen-style, year-round pavilion built to replace Shelter 3 at Spring Lake Park and making Spring Lake the focal point of Spring Lake Park. They are also recommending the focus in Wheeler Park to be heritage, community and recognition of veterans. He reported the sub-committee believes a brand identity for North Mankato parks could be fostered through the development of a unified architectural style. They are also recommending linking the trails in the parks to the Belgrade historic business district. Council Member Norland recognized the Park & Green Spaces members in attendance and thanked them for their work.

Res. No. 07-11 Accepting Historic Parks Plan

Council Member Norland moved, seconded by Council Member Freyberg, to adopt Resolution No. 07-11 Accepting the Historic Parks Plan and placing it on file for possible inclusion in the Capital Improvement Plan. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Kim Spears, 916 South Avenue

Kim Spears, 916 South Avenue, appeared before the Council and voiced his opposition to the Tax Increment Financing District IDD 1-20 for Ziegler.

Nicollet County Board Actions

Administrator Sande reported the Nicollet County Board has approved the transfer of the real estate and the deeds have been recorded for the T.H. 14/CSAH 41 Interchange Project.

Staff Reports**City Planner****Minutes of January 13, 2011 Planning Commission Meeting**

The Council accepted the minutes of the January 13, 2011 Planning Commission meeting.

Industrial Development District IDD No. 1 Modification

Planner Fischer reported it is necessary to modify Industrial Development District No. 1 by adding those portions of Northport Industrial Park annexed and developed since the last modification in 1999. He presented the report for the proposed Modification of IDD No. 1 and the resolution adopted by the Planning Commission recommending approval of the Plan.

2010 End-of-Year Planning and Zoning Report

Planner Fischer presented the End-of-Year Planning and Zoning Report for 2010. The report summarized the actions taken on variances, conditional use permits, platting/replatting and zoning during the calendar year. Three variance requests were received with two requests approved and one denied in 2010; three conditional use permits were requested and granted in 2010 (one request was to amend a previously granted CUP in 1998); there were no zoning requests made in 2010; and there were five platting requests received in 2010. Four of the platting requests were approved to rearrange lot lines within existing subdivisions.

Building Permit Summary Report for 2010

Planner Fischer presented the Building Permit Summary Report for 2010 reporting a total of 2,190 building permits were issued have a dollar value of \$24,362,769. He reported a record year of 2,073 permits issued for residential remodels due to hail damage in June 2010.

Set Public Hearing for 7 p.m. on Monday, February 7, 2011 – Outdoor Recreation, Regional Park and Park Legacy Grant Program Application

Planner Fischer reported the City is proposing to re-submit a grant application to the Department of Natural Resources under their Outdoor Recreation, Regional Park and Park Legacy Grant Programs. The 2011 application is for the development of the previously adopted Benson Park Master Plan. The City's matching funds would be from the Sales Tax Fund. **Council Member Steiner moved, seconded by Council Member Norland, to set a public hearing for 7 p.m. on Monday, February 7, 2011 for submission of the Outdoor Recreation, Regional Park and Park Legacy Grant Program application. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

City Administrator**Res. No. 08-11 Proposal to Modify Industrial Development District No. 1 and Establish Tax Increment Financing District IDD No. 1-20 and Calling for Consultation with Other Affected Jurisdictions and Setting Public Hearing for 7 p.m. on Monday, February 7, 2011**

Administrator Sande presented Resolution No. 08-11 on the proposal to Modify Industrial Development District No. 1 and Establish Tax Increment Financing District No. 1-20 and calling for consultation with other affected jurisdictions and setting a public hearing for 7 p.m. on Monday, February 7, 2011. He reported the modification to IDD No. 1 will include the industrial park property acquired since the last modification in 1999 and Tax Increment Financing District No. 1-20 is for the Ziegler Caterpillar project which was authorized under special legislation during the 2010 Legislative Session. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 08-11 Proposal to Modify Industrial Development District No. 1 and Establish**

Tax Increment Financing District IDD No. 1-20 and Calling for Consultation with Other Affected Jurisdictions and Setting a Public Hearing for 7 p.m. on Monday, February 7, 2011. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Ord. No. 34, Fourth Series, Amending Code of Ordinances

Administrator Sande presented Ord. No. 34, Fourth Series, Amending the Code of Ordinances, and reported the public hearing on the Ordinance was held on January 3, 2011. The City Planner has supplied background information regarding a statutory authority for a 180-day limit on building permits for exterior work. He reported projects not completed within 180 days generally draw ongoing complaints from neighbors. This is the reason staff is recommending the implementation of the 180-day time limit with the option to grant an extension of up to 60 days for projects which can demonstrate hardship. Council Member Schindle requested new home construction be granted a 365-day limit for completion of exterior work. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Ord. No. 34, Fourth Series, Amending Code of Ordinances with the one change that new home construction be granted a 365-day limit on building permits. Vote on the Ordinance: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Accept Bids for 2011 Material and Equipment Rental Rates from Bid Opening of January 3, 2011

Administrator Sande presented a tabulation of bids taken on January 3, 2011 for Material and Equipment Rental Rates and reported the bids would be kept on file for reference when ordering material and renting equipment. Bids for material were received from New Ulm Quartzite Quarries, Inc., Southern Minnesota Construction Co., Inc., M. R. Paving & Excavating, Inc., Flint Hills Resources, LP, W.W. Blacktopping, Inc., Holtmeier Construction, Inc., Morsching Masonry, LLC, and Met-Con Companies Construction Services. Bids for equipment were received from Southern Minnesota Construction Co., Inc., W.W. Blacktopping, Inc., Holtmeier Construction, Inc., Leon's Custom Backhoe, Hoehn Drainage & Excavating, LLC, and Morsching Masonry, LLC. **Council Member Schindle moved, seconded by Council Member Norland, to accept all bids for the 2011 Material and Equipment Rental Rates and place them on file. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

2011 Police Union Contract

Administrator Sande reported an agreement with the police union has been reached for the 2011 contract. He presented a Memorandum of Understanding outlining the proposed changes in the contract which provides for no salary increase in 2011 and states there will be no reduction in the police force during calendar year 2011. There are also three wording changes in the contract. The first increases the maximum accumulation of compensatory time to 120 hours from 100 hours, the second clarifies application of callbacks and the third codifies the current policy on vacation scheduling with all other provisions of the contract unchanged. **Council Member Norland moved, seconded by Council Member Steiner, to approve the 2011 Police Union Contract. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Xcel Energy Rate Change

Administrator Sande presented a rate change proposal from Xcel Energy to be held before the Minnesota Public Utilities Commission. He reported Xcel is required to make notice under our Franchise Agreement of rate changes and requires notification to Xcel customers. The rate changes are

effective January 2, 2011 with an additional rate change effective January 1, 2012 for a total increase of 7.43 percent.

Schools and Conferences

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

1. Regional State Fire School, North Mankato, March 5-6, for 35 Firefighters.
2. Minnesota State Fire Department Association Conference and School, Detroit Lakes, June 2-5, for 6 Firefighters and 1 Relief Association Officer.
3. Minnesota Fire Chiefs Conference and School, St. Cloud, October 19-22, for 3 Fire Officers.
4. MN Public Safety Interoperable Communications Conference, St. Cloud, January 24-26, for Emergency Management Director.
5. Basic Financial Investigation Techniques, Mankato, April 27-28, for Police Lieutenant and Police Detective.
6. Pursuit Driving Refresher, North Mankato, April 16 for one Patrol Officer and May 17 for two Patrol Officers.
7. 16th Annual Tactical Training Conference, St. Cloud, April 17-19 for three Patrol Officers.
8. 2011 Leadership Conference for Experienced Officials, Mankato, January 28-29, for one Council Member.
9. MRWA Annual Conference, St. Cloud, March 1-3, for Water Superintendent and one Water Serviceman.
10. Seal-Coat Operations Workshop, Mankato, March 22, for Street Superintendent.
11. Work-Zone Traffic Control Seminar, Mankato, February 2, for Street Superintendent.

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

City Clerk

Res. No. 09-11 Waiving Waiting Period for Exemption from Lawful Gambling License for Mankato Area Girls Fastpitch Association

Clerk Gehrke presented an application for exemption from lawful gambling for the Mankato Area Girls Fastpitch Association to conduct raffles on June 18, 2011 at Caswell Park, 1875 Howard Drive. **Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 09-11 Waiving Waiting Period for Exemption from Lawful Gambling License for Mankato Area Girls Fastpitch Association to conduct raffles on June 18, 2011 at Caswell Park, 1875 Howard Drive. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Large Group Permit for Pepsi Cola Company Party, Spring Lake Park, June 12, 2011 from noon to 7 p.m.

Clerk Gehrke presented a request from Pepsi Cola for a large group permit to hold their company party in Spring Lake Park from noon to 7 p.m. on Sunday, June 12, 2011. **Council Member Norland moved, seconded by Council Member Schindle, to approve the large group permit for the Pepsi Cola Company Party to be held in Spring Lake Park from noon to 7 p.m. on Sunday, June 12, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Parade Permit for MSU/Scheels 5K Run and Easter Egg Hunt, April 23, 2011 from 9 a.m. to 11 a.m.

Clerk Gehrke presented an application for a parade permit for MSU/Scheels 5K Run and Easter Egg Hunt from 9 a.m. to 11 a.m. on Saturday, April 23, 2011. The North Mankato Police Chief has approved this application. **Council Member Schindle moved, seconded by Council Member Norland, to approve the parade permit for the MSU/Scheels 5K Run and Easter Egg Hunt from 9 a.m. to 11 a.m. on Saturday, April 23, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Large Group Permit for MSU/Scheels 5K Run and Easter Egg Hunt, Benson Park, April 23, 2011 from 7:30 a.m. to 3 p.m.

Clerk Gehrke presented a request from MSU/Scheels for a large group permit to hold their 5K Run and Easter Egg Hunt in Benson Park from 7:30 a.m. to 3 p.m. on Saturday, April 23, 2011. **Council Member Norland moved, seconded by Council Member Steiner, to approve the large group permit for the MSU/Scheels 5K Run and Easter Egg Hunt to be held in Benson Park from 7:30 a.m. to 3 p.m. on Saturday, April 23, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Large Group Permit for Grace Lutheran Church Picnic, Wheeler Park, June 19, 2011 from 8 a.m. to 5 p.m.

Clerk Gehrke presented a request from Grace Lutheran Church for a large group permit to hold their church picnic in Wheeler Park from 8 a.m. to 5 p.m. on Sunday, June 19, 2011. **Council Member Norland moved, seconded by Council Member Steiner to approve the large group permit for the Grace Lutheran Church Picnic to be held in Wheeler Park from 8 a.m. to 5 p.m. on Sunday, June 19, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Parade Permit for Golden Heart 5K Fun Run, May 14, 2011 from 8 a.m. to 1 p.m.

Clerk Gehrke presented an application for a parade permit for the Golden Heart 5K Fun Run to be held from 8 a.m. to 1 p.m. on Saturday, May 14, 2011. The North Mankato Police Chief has approved this application. **Council Member Steiner moved, seconded by Council Member Norland, to approve the parade permit for the Golden Heart 5K Fun Run from 8 a.m. to 1 p.m. on Saturday, May 14, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Large Group Permit for Golden Heart 5K Fun Run, Benson Park, May 14, 2011 from 7 a.m. to 1 p.m.

Clerk Gehrke presented a request from Golden Heart for a large group permit to hold their 5K Fun Run in Benson Park from 7 a.m. to 1 p.m. on Saturday, May 14, 2011. **Council Member Norland moved, seconded by Council Member Steiner, to approve the large group permit for the Golden Heart 5K Fun Run to be held in Benson Park from 7 a.m. to 1 p.m. on Saturday, May 14, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Parking Request for Beans Plus Events, January 28, 2011 and February 8, 2011

Clerk Gehrke presented a request from Beans Plus for parking on the west side of Rolling Green Lane to Timm Road and the north side of Carlson Drive from Rolling Green Lane to Lookout Drive for basketball events to be held on January 28, 2011 and February 8, 2011. **Council Member**

Steiner moved, seconded by Council Member Norland to authorize parking on the west side of Rolling Green Lane to Timm Road and the north side of Carlson Drive from Rolling Green Lane to Lookout Drive for the Beans Plus basketball events on January 28, 2011 and February 8, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Finance Director

Res. No. 10-11 Authorizing the City of North Mankato to Act as the Fiscal Agent for the Minnesota River Valley Drug Task Force

Finance Director Mork presented a resolution authorizing the City of North Mankato to act as fiscal agent for the Minnesota River Valley Drug Task Force. This a joint venture with Blue Earth County, Martin County, Nicollet County, Watonwan County, the City of Mankato, the City of Madelia, the City of North Mankato, the City of St. James and the City of St. Peter. The Minnesota River Valley Drug Task Force investigates and prosecutes drug cases in the member jurisdictions. He reported this will be the 15th year the City has acted in this capacity. **Council Member Schindle moved, seconded by Council Member Norland, to adopt Resolution No. 10-11 Authorizing the City of North Mankato to Act as the Fiscal Agent for the Minnesota River Valley Drug Task Force. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Finance Director Mork reported the City of North Mankato is also the fiscal agent for the Tactical Response Team (TRT) which is a joint venture with Blue Earth County, Nicollet County, LeSueur County, the City of Mankato, the City of North Mankato and the City of St. Peter. The TRT responds to high-risk law enforcement events within the member jurisdictions.

Community Room Usage Report

Finance Director Mork presented the Community Room Usage Report for 2010. The total number of groups that used the community rooms in the Municipal Building, Police Annex and Fire Station No. 2 in 2010 was 596 compared to 758 in 2009. Library programs, community meetings and Nicollet County groups usage accounted for a reduction of 199, which is the majority of the decrease. The reduction in library usage (50) corresponds to the opening of the new addition to the library which contains a meeting room. He also reported that reservations are now limited to one per day which eliminates problems with overlapping events and custodial issues. The community rooms average over 16 meetings per month in each room. The Finance Director reported reservations for residents and non-profit organizations to use the community rooms may be scheduled for 2011 at the Municipal Building. No regularly scheduled events may be booked for the rooms with the exception of the Kato Community Club which is held Tuesday afternoons at Fire Station No. 2 and North Mankato Civic & Commerce which is held at 7:30 a.m. on the first Wednesday of each month in the Police Annex Community Room. The cost for the Police Annex and Fire Station No. 2 community rooms is \$60 and the Municipal Building community room is free. Mayor Dehen reported that he addressed the Kato Community Club on Tuesday, January 18, 2011 and they thanked him for the use of the room at Fire Station No. 2.

Report from Council Members

Council Member Norland

Council Member Norland reported she attended a Region 9 meeting on Wednesday, January 12, 2011. Region 9 has a wide-array of programs including services for the elderly and caregiver operations and transportation services to smaller communities.

Council Member Norland attended a Turf Management Workshop at Gustavus Adolphus College and will pass the information on to the City Administrator for the Park Department.

Council Member Steiner

Council Member Steiner presented the 2010 report for the North Mankato Taylor Library reporting an increase in circulation from 190,000 in 2009 to 218,379 in 2010. He also reported the circulation for e-books has doubled over the last year. The Council requested an article be placed in the *City News & Views* that e-books from the North Mankato Taylor Library can be downloaded on all models except Kindles.

Report from Mayor

Res. No. 11-11 Approving City Council Assignments

Mayor Dehen presented Resolution No. 11-11 Approving City Council Committee Assignments including the resolution re-instituting the Intergovernmental Committee as attached. The City Council Committee assignments for 2011 are as follows:

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| Mayor Mark Dehen: | Nicollet County/North Mankato Liaison Committee
Port Authority Commission
Personnel Committee
Intergovernmental Cooperation Committee – Mankato
Cities/Colleges/Universities Advisory Council
Coalition of Greater Minnesota Cities
North Mankato Fire Relief Association
Highway 14 Partnership |
| Council Member Bill Schindle: | Nicollet County/North Mankato Liaison Committee
Personnel Committee
Planning Commission Liaison
All Seasons Arena Board
Community Center Task Force
Traffic and Safety Committee |
| Council Member Billy Steiner: | Acting Mayor
North Mankato Taylor Library Board
Port Authority Commission
Intergovernmental Youth Assets
Envision 2020 |
| Council Member Diane Norland: | Region Nine Development Commission
Mankato Area Community Services Council
Envision 2020
Park and Green Spaces Committee Chair |
| Council Member Bob Freyberg: | Region Nine Development Commission (Alternate)
Intergovernmental Cooperation Committee - Mankato
Nicollet County Recycling Task Force |

Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 11-11 Approving City Council Committee Assignments. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Proclamation for Congenital Heart Defect Awareness Week, February 7-14, 2011

Mayor Dehen read the proclamation naming February 7-14, 2011 as Congenital Heart Defect Awareness Week in North Mankato. **Council Member Freyberg moved, seconded by Council Member Steiner to approve the Proclamation for Congenital Heart Defect Awareness Week, February 7-14, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Certificate of Recognition

The Mayor read the Certificate of Recognition that he presented to Ann Schorn on the occasion of her 100th birthday.

Open the Meeting to the Public for the Second Time

Kim Spears, 916 South Avenue

Kim Spears, 916 South Avenue, appeared before the Council for the second time asking for clarification about the number of jobs Ziegler is required to create under TIF District IDD 1-20. Administrator Sande reported Ziegler would create five jobs in the first two years and a total of 12 jobs over five years. He also requested a copy of the building permit code change.

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and stated his opposition to tax increment financing for Ziegler.

Bills and Appropriations

Council Member Norland moved, seconded by Council Member Steiner, to approve all bills and appropriations in the amount of \$3,772,398.74. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:23 p.m.

Mayor

City Clerk

RESOLUTION RE-INSTITUTING THE
INTERGOVERNMENTAL COMMITTEE
BETWEEN
NORTH MANKATO AND MANKATO

WHEREAS, the Cities of North Mankato and Mankato share many organizations, services and a geographical border; and

WHEREAS, we all agree that the State of Minnesota and the federal government's integrity is at risk which may impact each City; and

WHEREAS, recognizing both Cities share the flood walls that protect the financial and structural integrity of each City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the Intergovernmental Committee be re-instituted between North Mankato and Mankato to openly discuss items that affect the economic stability, disaster readiness, community events and items that relate to the financial integrity and quality of life for these two Cities;

BE IT FURTHER RESOLVED, this committee shall meet at least twice a year and shall be comprised of both Mayors and one Councilor from each City as appointed by their respective Councils. The co-chairs of this committee shall be the two Mayors. The co-chairs shall call the meetings and schedule these on the Council calendar for public record. The minutes from these meetings will be drafted by the two Mayors and be discussed as a report item in the first following Council meeting, for public record. The Administrators and staff can then glean this information, study and subsequently advise the entire Council as to its merits at a future work session. It is the intent of this committee to meet in the absence of City Administrators and staff. However, the Administrators will be asked to provide discussion points, if any, prior to each meeting. The goal of this committee is to generate ideas, explore thought processes and to exchange shared information between Council Members and citizens-at-large that preserve and enhance existing services and quality of life. Lastly, these meetings will be held in municipal buildings and will be held at no cost to the taxpayer (no travel, no meals).

Adopted this 18th day of January 2011.

Mayor

City Clerk