

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 March 21, 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, Freyberg and Steiner, City Administrator Sande, Finance Director Mork, City Clerk Gehrke, Attorney Kennedy and Engineer Malm. Absent: Council Member Schindle and Planner Fischer.

### **Approval of Minutes**

**Council Member Freyberg moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of March 7, 2011. Vote on the motion: Norland, Freyberg and Dehen aye; Steiner abstained; no nays. Motion carried.**

**Correspondence** – none.

### **Public Hearing, 7 p.m. – Annexation of Rist Property, 50.40 Acres**

Mayor Dehen opened the public hearing to consider the annexation of 50.40 acres of land owned by the Rist Family to be used for expansion of Northport Industrial Park. Administrator Sande presented background information noting the 50.40 acres is west of Lookout Drive and north of Carlson Drive adjacent to the Northport Industrial Park. He reported the Port Authority purchased the 50.40-acre parcel on a Contract for Deed from the Rist Family and it is necessary to annex the property into the City limits. A notice of hearing was published in the official newspaper. With no one else appearing before the Council, the Mayor closed this portion of the meeting.

### **Ord. No. 36, Fourth Series, Annexation of 50.40 Acres**

**Council Member Steiner moved, seconded by Council Member Norland, to adopt Ord. No. 36, Fourth Series, annexation of 50.40 Acres, Rist Property. Vote on the Ordinance: Norland, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

### **Open the Meeting to the Public for the First Time**

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

### **Staff Reports**

#### **Minutes of March 10, 2011 Planning Commission Meeting**

The Council accepted the minutes of the March 10, 2011 Planning Commission meeting.

### **Preliminary and Final Plat of Isaiah Estates No. 7**

Administrator Sande presented a request from Wilcon Construction to replat Lots 12 and 13, Block 2, Isaiah Estates to accommodate the construction of a two-family dwelling. He indicated the applicant is requesting to relocate a mutual lot line to allow the dwelling to meet all applicable building setbacks. He reported Outlot A is a permanent easement into the ravine complex which has a large amount of storm sewer. The Planning Commission recommended approval of the preliminary and final plat of Isaiah Estates No. 7. **Council Member Steiner moved, seconded by Council Member Norland, to approve the preliminary and final plat of Isaiah Estates No. 7. Vote on the motion: Norland, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

### **Preliminary and Final Plat of Northport No. 15**

Administrator Sande presented a request from the North Mankato Port Authority to formally plat 50.40 acres of land which has been annexed into the City limits for expansion of the Northport

Industrial Park. The proposed plat consists of four 12.5-acre lots which will be marketed for industrial development and the titles for the lots will be released as necessary. The Administrator noted it may be necessary to replat the property in the future to accommodate specific land needs. The Planning Commission recommended approval of the preliminary and final plat of Northport No. 15. **Council Member Freyberg moved, seconded by Council Member Norland, to approve the preliminary and final plat of Northport No. 15. Vote on the motion: Norland, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

#### **Industrial Development District No. 1 Modification**

Administrator Sande presented a request to modify Industrial Development District No. 1 due to the recent purchase of a 50.40-acre parcel of land as part of the expansion of the Northport Industrial Park. The Planning Commission reviewed the Plan Modification of IDD No. 1 and adopted a resolution finding the City of North Mankato Industrial Development District No. 1 Plan Modification conforms to City plans for development of the locality as a whole. The City Council will hold a public hearing on April 4, 2011 to consider the modification to Industrial Development District No. 1.

#### **City Administrator**

##### **Res. No. 23-11 Ordering Plans and Specifications for Project No. 11-03DEF, Nicollet Avenue Parking Improvements**

Administrator Sande reported the Nicollet Avenue Parking Improvement Project was previously reviewed by the City Council and is a high priority for the business owners in the Central Business District. He presented the engineer's drawing and noted this project will not be large enough to necessitate taking bids but rather quotations will be secured from contractors. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 23-11 Ordering Plans and Specifications for Project No. 11-03DEF, Nicollet Avenue Parking Improvements. Vote on the Resolution: Norland, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

The City Attorney updated the Council on the Budget Mart properties. He reported the properties have been converted from Chapter 11 to Chapter 7 Bankruptcy and the trustees have abandoned the properties. In summary, he reported that eventually Marathon Petroleum will be the owners of the properties and the City could approach them at that point.

#### **Charter Communications Rate Change**

Administrator Sande presented a letter from Charter Communications giving the City notice of rate changes as required by the Cable Franchise Ordinance. He reported the changes address the Broadcast TV surcharge and a reduction of fees for unreturned equipment.

#### **City Clerk**

##### **Res. No. 24-11 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church**

Clerk Gehrke presented an application for exemption from lawful gambling for Holy Rosary Church, 546 Grant Avenue, to conduct raffles on April 9, 2011. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 24-11 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church to conduct raffles on April 9, 2011. Vote on the Resolution: Norland, Freyberg and Steiner, aye; Dehen abstained; no nays. Motion carried.**

**Parade Permit for A.B.A.T.E. of Minnesota Motorcycle Awareness, Saturday, May 7, 2011**

Clerk Gehrke presented an application for a parade permit to hold the A.B.A.T.E. of Minnesota Motorcycle Awareness parade from 1:15 p.m. to 1:30 p.m. on Saturday, May 7, 2011. The North Mankato Police Chief has approved this application. **Council Member Norland moved, seconded by Council Member Steiner, to approve the permit for the A.B.A.T.E. of Minnesota Motorcycle Awareness parade from 1:15 p.m. to 1:30 p.m. on Saturday, May 7, 2011. Vote on the motion: Norland, Freyberg, Steiner, and Dehen, aye; no nays. Motion carried.**

**Audio and Large Group Permit for Holy Rosary Church Mass in Wheeler Park, Sunday, September 11, 2011 from 7 a.m. to 2 p.m.**

Clerk Gehrke presented a request from Holy Rosary Church for an audio and large group permit for Mass in Wheeler Park from 7 a.m. to 2 p.m. on Sunday, September 11, 2011. The estimated attendance is 450 people. The audio will consist of a keyboard, guitar, drums and singing. **Council Member Norland moved, seconded by Council Member Steiner, to approve the audio and large group permit for the Holy Rosary Church Mass in Wheeler Park from 7 a.m. to 2 p.m. on Sunday, September 11, 2011. Vote on the motion: Norland, Freyberg and Steiner, aye; Dehen abstained; no nays. Motion carried.**

**Large Group Permit for Mankato Eagles Club Family Picnic, Wheeler Park, Sunday, July 24, 2011 from 10 a.m. to 10 p.m.**

Clerk Gehrke presented a request from the Mankato Eagles Club to hold their family picnic in Wheeler Park on Sunday, July 24, 2011 from 10 a.m. to 10 p.m. The estimated attendance is 200 people. **Council Member Steiner moved, seconded by Council Member Norland, to approve the large group permit for Mankato Eagles Club to hold their family picnic at Wheeler Park on Sunday, July 24, 2011. Vote on the motion: Norland, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

**Finance Director****Report on Spring Cleanup Costs**

Finance Director Mork presented a report outlining the number and cost of appliances collected during the 2010 spring and fall cleanups and the proposed cost for curbside pickup of appliances in 2011. He reported the number of appliances collected during the Spring 2010 pickup was 352 at a cost of \$12.00 per appliance, the number of appliances collected during the Fall 2010 pickup was 259 at a cost of \$13.00 per appliance. The 2011 cost for curbside appliance pickup will increase to \$15.00 per appliance. He reported the Public Works Director informed him we could use the sentence-to-serve crew and our equipment to deliver them to the recycler at a rate of \$7.00 per appliance. The Finance Director reviewed the 2010 Spring Cleanup costs which were paid from garbage fees collected from customers. Administrator Sande reported staff may recommend a fall drop-off which seemed to work well last year.

**CityArt Walking Sculpture Tour**

Finance Director Mork reported the City Center Partnership will hold an artists' reception for their Walking Sculpture Tour on May 21, 2011. He reported in October 2010 the City of North Mankato made a contribution to this program which will bring sculptures into the city center of both North Mankato and Mankato. Corporate response has been excellent for this project with sponsorship secured for 25 sculptures. In addition to the sponsorships, Vetter Stone has agreed to donate Kasota stone bases for the sculptures and Jones Metal has agreed to donate the stainless steel tops for the bases. Six sculptures will be placed in the 200 block of Belgrade Avenue in North Mankato and the

remaining 19 sculptures placed along 2<sup>nd</sup> Street and Hickory Street in Mankato. The six sculptures selected for North Mankato are “Spirit of Energy” to be placed in front of the Marigold, “The Farmer’s Wife” to be placed at the entrance to the Frandsen Bank drive-up, “Play Time” and “Look and You Will Find It” to be placed in front of the Post Office, “Skydiver” to be placed in front of the vacant lot between Mutch’s Hardware and the Skillings building, and “Seed” to be placed on the corner of Belgrade and Nicollet Avenues. The sculptures will be set in place on Saturday, May 21, 2011.

**City Attorney**

Attorney Kennedy gave background regarding electronic communications and will recap items of importance for the Council.

**City Engineer**

Engineer Malm reported the 14/169 interchange is provided for in the MATAPS Plan and ranked third or fourth in MnDOT scoring. An acceleration lane on northbound 169 for Highway 14 eastbound traffic turning left is planned for 2012. He reported the Minnesota Department of Transportation held a public meeting at the Best Western and business owners do not support removal of access at Webster Avenue or Monroe Avenue. Engineer Malm reported the interchange would require the removal of McDonald’s and the Lind Street access would be closed. Mayor Dehen asked for copies of the drawings for the three renditions of the proposed interchange.

**Report from Council Members**

**Council Member Norland**

Council Member Norland reported an open house will be held in June to tour the water treatment plant in Mankato.

Council Member Norland asked that her request to consider Spring Lake Park as a dog-walking park be tabled at this time. She also requested a reminder to dog owners to clean up after their pets be an item in the City newsletter.

**Council Member Freyberg**

Council Member Freyberg requested clarification of the payment of \$69,554.54 to the City of Mankato. Finance Director Mork reported the payment was for 2010 mass transit and 2009 and 2010 Lake Street storm water lift station.

**Council Member Steiner**

Council Member Steiner reported the circulation at the North Mankato Taylor Library leveled off for the months of January and February 2011. He reported the North Mankato Taylor Library has the second highest circulation in the Traverse des Sioux Library System and is number one in new items added. Administrator Sande reported the Civic & Commerce Association has donated funds for three radio-controlled airplanes which will be given away in a drawing at the library. Dedication of Forsberg Field is scheduled for 11 a.m. on Saturday, May 21, 2011.

**Report from Mayor**

Mayor Dehen thanked Bobby Joe’s for hosting “Coffee with the Council” on Saturday, March 12, 2011. He reported that “Coffee with the Council” will be held at Beans Plus on Saturday, April 9, 2011 from 10-11 a.m.

The Mayor reported the Judson Bottom Road will be closed Tuesday, March 22, 2011 because of the high water.

The Mayor reported the U.S. Census reported a population increase of 14 percent for the City of North Mankato from 2000 to 2010.

The Mayor reported on Wednesday, March 23, 2011 GMG is sponsoring a panel on Local Government Aid to be held at South Central College.

The Mayor thanked Boy Scout Troop 29 for sponsoring the spaghetti feed at Holy Rosary Church on Monday, March 21, 2011.

**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 Norland moved, seconded by Council Member Steiner, to approve all bills and appropriations in the amount of \$541,026.33. Vote on the motion: Norland, Freyberg, Steiner and Dehen; aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 7:55 p.m. on a motion by Council Member Steiner, seconded by Council Member Norland. Vote on the motion: Norland, Freyberg, Steiner and Dehen; aye; no nays. Motion carried.

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Mayor

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City Clerk