

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Council Chambers of the Municipal Building on November 21, 2011. Mayor Dehen called the meeting to order at 7 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, Administrator Sande, Finance Director Thorne, City Attorney Kennedy, Engineer Malm, Planner Fischer and City Clerk Gehrke.

Approval of Agenda

There were no changes to the agenda as presented.

Approval of Minutes

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

Correspondence

Thank-You Letter from VINE for Support of Summit Center

The Mayor read a letter from VINE Executive Director Pam Determan thanking the City for their continued support of the Summit Center.

Open the Meeting to the Public for the First Time

Kim Spears, 916 South Avenue

Kim Spears, 916 South Avenue, appeared before the Council to voice his concerns about the article by Council Member Norland published in the *Free Press* as it related to the failure of the grocery store. He also voiced concern about the Port Authority Commission expanding the criteria for CBD grants. Mayor Dehen stated the Port Authority Commission is focused on the facades and lighting for businesses especially as related to the rear entrances. Mr. Spears inquired about the need for an engineer to prepare feasibility reports for Project No. 11-06D, Lookout Drive Right Turn Lane, and Project No. 11-07D, Lookout Drive Signal. Administrator Sande reported it is necessary for a Civil Engineer to prepare feasibility reports and Bolton & Menk is the contract engineer for the City of North Mankato. Mr. Spears also asked for clarification of the snow emergency ordinance and requested that the following be in the minutes: "During a snow emergency, no motor vehicle shall be left parked on any street or public way in the City. Once the street has been cleared curb-to-curb, vehicles may be parked on that street." Mr. Spear questioned three items on the list of bills. He stated he does not understand the need for book bags for the library. He also voiced that mass transit should be struck from the budget.

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and asked why the Port Authority Commission meetings are not held in the evenings. Mayor Dehen reported that several meetings have been held in the evening with no change in the attendance. Mr. Henry stated he believed the meetings were held in the mornings so that business could be conducted in private. Administrator Sande reported that Port Authority Commission meetings are televised and also available on the City's website. Mr. Henry stated the Port Authority Commission is a dog and pony show.

Consent Agenda

Council Member Freyberg moved, seconded by Council Member Steiner, to approve the Consent Agenda which includes:

1. Parade Permit for 5K Fun Run “Gobble Wobble” at Benson Park, Thursday, November 24, 2011 from 8 a.m. to 9:30 a.m.

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

Staff Reports

City Planner

Minutes of November 10, 2011 Planning Commission Meeting

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

V-2-11, Variance Request to Increase the Maximum Allowable Signage from 125 square feet to 414 square feet and to Increase the Maximum Height of a Pylon Sign from 30 feet to 55 feet at 2265 Howard Drive West

Planner Fischer presented a variance request from Allstate Peterbilt to increase the maximum allowable signage from 125 square feet to 414 square feet, increase the maximum height of a pylon sign from 30 feet to 55 feet and increase the maximum size of any sign from 150 square feet to 360 square feet. He indicated the applicant is currently constructing a new sales and service facility at the end of Howard Drive West adjacent to the future Highway 14/CSAH 41 interchange project. Representatives for Peterbilt were in attendance at the meeting. Council Member Schindle stated the future Highway 14 bridge deck will create visibility limitations for the applicant. The Planning Commission reviewed and recommended approval of V-2-11 with the total signage not to exceed 414 square feet. **Council Member Schindle moved, seconded by Council Member Freyberg, to approve the variance request to increase the maximum total signage not to exceed 414 square feet and increase the height of the pylon sign from 30 feet to 55 feet at 2265 Howard Drive. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Sign Code Review

Planner Fischer reported the Planning Commission reviewed the Sign Ordinance relating to directional signs and recommended the following changes to the City Sign Ordinance:

<u>Zoning District</u>	<u>Maximum Size</u>
B-1, B-2, B-3, OR-1 and CBD	6 square feet
I-1, M-1 and M-2	Buildings over 25,000 sq. ft. – 10 sq. ft. Buildings under 25,000 sq. ft. – 6 sq. ft.

Council Member Norland moved, seconded by Council Member Steiner, to approve the changes to the City Sign Ordinance as recommended by the Planning Commission. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Central Business District Parking Options

Planner Fischer presented a preliminary concept plan for future parking improvements in the Central Business District. Recently 20 parking spots along Nicollet Avenue were completed in right-of-way property; however, any additional parking spots in the Central Business District will require an investment in other properties for parking. The City Engineer and staff will continue to work on parking plans for the Central Business District.

City Administrator**Set Public Hearing for MS4 (Municipal Separate Storm Sewer System) Permit for 7 p.m. on Monday, December 19, 2011**

Administrator Sande reported as part of the MS4 requirements it is necessary to hold an annual public meeting to receive comments or questions about the City's Storm Water Pollution Prevention Plan, stormwater management, or erosion and sediment control practices. **Council Member Freyberg moved, seconded by Council Member Norland, to set an MS4 Permit public meeting for 7 p.m. on Monday, December 19, 2011. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Res. No. 66-11 Approving Minnesota Department of Transportation Agreement No. 99911

Administrator Sande presented MnDOT Agreement No. 99911 which authorizes the Minnesota Department of Transportation to act as the agent for the City in the acceptance of federal aid. This is an update of a previous agreement. Upon receipt of the federal funds, MnDOT reimburses the City for authorized project expenditures. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 66-11 Approving Minnesota Department of Transportation Agreement No. 99911. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Agreement for Professional Services with Bolton & Menk

Administrator Sande reviewed the agreement with MnDOT District 7 to allow the City's consulting engineer, Bolton & Menk, to provide certain services in preparation for the construction of T.H. 14/ CSAH 41 Project for the amount of \$236,610. The City will pay Bolton & Menk as invoiced for the project and submit the invoices to MnDOT District 7 for reimbursement. **Council Member Steiner moved, seconded by Council Member Norland, to approve the Agreement for Professional Services with Bolton & Menk. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Charitable Gambling Fund Distribution

Administrator Sande presented recommendations for disbursement of the 10% charitable gambling funds for 2011. A total of \$14,798 is available for distribution. The following disbursements were recommended: Echo Food Shelf - \$1,000; YMCA Youth in Government - \$500; Lancers Band - \$500; Holiday Sharing Tree - \$500; LEEP - \$500; West, East, Loyola Graduation Parties - \$500; Boy Scouts of America Troop 29 - \$500; Girl Scouts of America (local projects only) - \$500; School District 77 student activities - \$500; Community Services Summer Parks Programs - \$500; STRIVE (River Valley Foundation) - \$2,000; YMCA Big Brother, Big Sister - \$500; Toys for Tots - \$500; South Central College Foundation - \$1,200; North Mankato Elementary P.T.O. - \$1,000; Dakota Meadows Middle School Public Achievement Program - \$500; Children's Museum of Southern Minnesota - \$1,000; Santa Anonymous - \$500; MAGFA - \$500; MNMYF Football - \$500; Mankato United Soccer - \$500; and Mankato Area LaCrosse Program - \$500, for a total of \$14,700. **Council Member Schindle moved, seconded by Council Member Norland, to approve the disbursement of 10% charitable gambling funds as recommended. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Authorize Marketing Effort for Signage at Caswell Park

As discussed at the Council Workshop of November 14, 2011, Administrator Sande presented the request authorizing staff to initiate a marketing effort for advertising signage at Caswell Park. He stated the report should be completed by the end of the first quarter of 2012. **Council Member Norland moved, seconded by Council Member Steiner, to authorize the staff to initiate a**

marketing effort for advertising signage at Caswell Park. **Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Finance Director

Res. No. 67-11 Declaring Costs to be Assessed for Municipal Charges – 345 Harrison Avenue

Finance Director Thorne presented Resolution No. 67-11 for costs to be assessed in the amount of \$111.07 for repairs at 345 Harrison Avenue. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 67-11 Declaring Costs to be Assessed for Municipal Charges for 345 Harrison Avenue. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

City Engineer

Res. No. 68-11 Ordering Feasibility Report for Project No. 11-06D, Lookout Drive Right Turn Lane

Engineer Malm presented a concept drawing of the proposed right turn lane for traffic exiting north on Lookout Drive. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 68-11 Ordering Feasibility Report for Project No. 11-06D, Lookout Drive Right Turn Lane. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Res. No. 69-11 Ordering Feasibility Report for Project No. 11-07D, Lookout Drive Signal

Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 69-11 Ordering Feasibility Report for Project No. 11-07D, Lookout Drive Signal. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

Update of Projects

Engineer Malm reported the plans for the T.H. 14/CSAH 41 Interchange Project will be completed by January 2012 with the bid letting to be held in March 2012. He reported that geotechnical engineers have discovered some areas that could allow for some savings in the project. Administrator Sande asked what the plates show on settlement of the City project in this area. Engineer Malm reported the embankment is supposed to settle 2 feet; however, to date the embankment has settled only 7/10's. The geotechnical engineers have warned us that settlement can happen quickly. Engineer Malm reported some surcharge material will remain through 2012 except for the east end of Howard to allow for completing the permanent Peterbilt access.

Mayor Dehen reported the T.H. 14 Project east of Waseca was halted until spring because they ran out of flash.

Report from Council Members

Council Member Schindle

Traffic & Safety Committee Meeting Minutes of November 16, 2011

Council Member Schindle presented the November 16, 2011 Traffic & Safety Committee meeting minutes reporting that based on tenant concerns regarding the seasonal no parking regulations approved by the City Council in February 2011, the Traffic & Safety Committee reviewed this item at the request of the City Council. The Traffic & Safety Committee re-affirmed that Pleasant View Drive is a major thoroughfare that is faced with public safety concerns during the winter months due to the large amount of on-street parking. The Committee believes that some landlords may have the ability to create additional off-street parking and stressed the importance of tenant use of garages for off-street

parking and not the storage of materials. The Traffic & Safety Committee recommended the removal of the current seasonal no parking restriction on Pleasant View Drive and recommends that all property owners evaluate the ability to create additional off-street parking spaces to accommodate visitors. Mayor Dehen asked staff to look at available space for parking and make recommendations to the owners. **Council Member Schindle moved, seconded by Council Member Steiner, to approve the recommendations of the Traffic & Safety Committee to remove the no parking restrictions on Pleasant View Drive. Vote on the motion: Norland Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Council Member Schindle presented the recommendation of the Traffic & Safety Committee to implement no changes to the Snow Emergency Ordinance, which in part allows for vehicles parked on the streets during a snow emergency to be ticketed and towed. The Council requested notification of a snow emergency be placed on the City website www.northmankato.com, in the utility bill and announced in the media. The new website will allow for residents to sign up for notification of a snow emergency. **Council Member Schindle moved, seconded by Council Member Norland, to approve the recommendations of the Traffic & Safety Committee of no changes to the existing Snow Emergency Ordinance noting that once snow has been cleared from the street curb-to-curb, vehicles may be parked on the street. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

Report from Mayor

Mayor Dehen reported he attended the re-dedication of the World War I marker at Sibley Park which will tie into the veterans memorial walk linking all the war memorial markers in Mankato and North Mankato.

The Mayor reported he received a letter regarding the North Mankato Post Office notifying us that a decision should be made by January 2012.

The Mayor encouraged residents to lock the doors of their homes and cars and keep valuables out of sight. He also encouraged anyone viewing suspicious activity to call 911 and report it. Council Member Schindle stated that motion detection lights work.

The Mayor announced he received an invitation from *Today in America* hosted by Terry Bradshaw and broadcast on the FOX business channel to feature the City of North Mankato as a hidden gem. The cost for our participation would be \$19,000. This item will be referred to the North Mankato Port Authority.

The Mayor announced that the next "Coffee with the Council" would be held in January 2012.

The Mayor reviewed the proposed property tax statements that were recently received. He stated the maximum levy for North Mankato is 7.5 percent although because of the change in Market Value Homestead Credit, the tax statement reflects a larger percentage.

Open the Meeting to the Public for the Second Time Adrienne Watts, 1667 Pleasant View Drive

Adrienne Watts, 1667 Pleasant View Drive, appeared before the Council and referenced the letter she wrote to the Mayor regarding the seasonal no parking signs on Pleasant View Drive. She stated she was in favor of the seasonal "No Parking" signs because the significant narrowing of the street during the winter months, the parked cars, large traffic volume and the height of the snow banks

makes exiting/entering driveways hazardous. She also requested a “No Parking” sign on the no parking side of the street between the “STOP” sign and the first driveway entrance stating that cars park in this area even though it is the no parking side of the street. She urged the Council to consider a permanent no parking restriction on both sides of the street around the curve. Council Member Schindle asked that a Traffic & Safety Committee meeting be set to review no parking on the portion of Pleasant View Drive between North Ridge Drive and Restless Court.

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and apologized for his earlier remark about the Port Authority Commission.

Jim Whitlock, 332 Belgrade Avenue

Jim Whitlock, 332 Belgrade Avenue, appeared before the Council and asked if North Mankato and Mankato will coordinate calling of snow emergencies. Administrator Sande reported North Mankato will try to coordinate efforts with Mankato. Mayor Dehen asked staff to broadcast messages when a snow emergency is called.

Bills and Appropriations

Council Member Steiner moved, seconded by Council Member Norland, to approve all bills and appropriations in the amount of \$208,590.47. 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 8:06 p.m.

Mayor

City Clerk