

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 April 16, 2012. 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 Freyberg, Steiner, Norland and Schindle, City Administrator Sande, Finance Director Thorne, City Clerk Gehrke, Attorney Kennedy, Engineer Malm and Planner Fischer.

### **Approval of Agenda**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the agenda as presented. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

### **Approval of Minutes**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of April 2, 2012. Vote on the motion: Steiner, Norland, Schindle and Dehen, aye; Freyberg, abstain; no nays. Motion carried.**

**Correspondence – none.**

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

#### **Lucy Lowry, North Mankato Taylor Library Director, Community Read Program**

Lucy Lowry, North Mankato Taylor Library Director, and Beth Christensen of the Delta Kappa Gamma Women Educator's Group, appeared before the Council and presented the Council Members with the book *A Night to Remember*, which were purchased from a grant received from the Arts and Cultural Heritage Fund. Director Lowry reported this is the definitive book about the sinking of the Titanic which happened 100 years ago on April 15<sup>th</sup> and is being read for the community-wide book read. As part of the community-wide book read, several events are being held as follows:

**April 16:** Copies of Lord's book available at North Mankato City Council meeting, 7 p.m., North Mankato Municipal Building.

**May 17:** Movie screening of documentaries "Death of a Dream" and "The Legend Lives On," 6:30 to 8 p.m., North Mankato Taylor Library Meeting Room.

**May 24:** Book discussion of "A Night to Remember" by Walter Lord, led by Beth Christensen of Delta Kappa Gamma Women Educators, 6:30-7:30 p.m., North Mankato Taylor Library Meeting Room.

**May 29:** Presentation: "Why the Titanic Really Sank" by Dr. William Gerberich, Professor of Chemical Engineering and Materials Science, University of Minnesota, 7-8 p.m., North Mankato Police Annex Meeting Room.

Director Lowry reported free copies of Walter Lord's "A Night to Remember" are available for pick up at North Mankato Taylor Library, South Central Community College Library, Dino's Pizzeria, Indulge Salon, Curves N. Kato, Walgreen's N. Kato and Mutch's Hardware.

### **Proclamation Declaring April and May Community Read Months**

Mayor Dehen read a proclamation declaring April and May as Community Read Months in the City of North Mankato. **Council Member Freyberg moved, seconded by Council Member Steiner,**

**to approve the proclamation declaring April and May as Community Read Months in the City of North Mankato. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

**Doreen Pehrson, Nicollet County Assessor's Office**

Doreen Pehrson, Nicollet County Assessor's Office, appeared before the Council and presented the 2012 values for taxes payable in 2013 for residential and commercial/industrial properties. Doreen reported notices of value and classification have been sent to all property owners in the City of North Mankato. She reported residential property land values remain unchanged; houses were reduced 4-10%, unimproved vacant lots were reduced 15%; and there was no change in value for commercial/industrial and apartments. Doreen reported the Board of Appeal and Equalization has been set for 9 a.m. on Thursday, April 19, 2012 in the North Mankato Police Annex Community Room. Residents with questions or concerns about the valuation of their property should contact the Assessor's Office at 507-934-0240 to schedule an appointment.

**Barb Church, 102 E. Wheeler Avenue**

Barb Church, 102 E. Wheeler Avenue, appeared before the Council responding to comments she has heard regarding the Marigold site. She also stated Marigold Phases 2 and 3 are very different than Marigold 2.5 and stated vacancy rates, other units are being planned for the area and the list of interested parties for the 101-unit apartment building should be current. She asked when the Joint Council/Port Authority meeting will be held. Mayor Dehen reported this meeting is currently scheduled for 7 p.m. on Monday, May 14, 2012.

**Kim Spears, 916 South Avenue**

Kim Spears, 916 South Avenue, appeared before the Council and asked if the City was bound to follow the Envision 2020 Plan and asked the Council to look closely at the Marigold 2.5 Project.

**Nicollet County Board Actions**

The Nicollet County Board approved issuance of bonds in the amount of \$500,000 for the ARMER Radio System project. Mayor Dehen asked if the purchase of the chip spreader was included in the Nicollet County \$950,000 capital equipment bonding issue. Administrator Sande will contact Nicollet County regarding this question.

The public sale of tax-forfeited land is scheduled for 1 p.m. on Wednesday, May 30, 2012 by the Nicollet County Auditor-Treasurer in the Nicollet County Board Room in the Nicollet County Government Center. Administrator Sande reported he has contacted several developers regarding the R-2 zoned lots which are part of the public sale of tax-forfeited land.

**Consent Agenda**

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

- A. Parade Permit for A.B.A.T.E. Motorcycle Awareness Parade, Saturday, May 5, from 1-1:30 p.m.
- B. Application for 3.2 Temporary Permit, North Mankato Civic & Commerce Association for Fun Days, July 4-8, Wheeler Park.
- C. Parade Permit for North Mankato Fun Days Kiddie Parade, Wheeler Park, Friday, July 6, from 6:15 p.m. to 7:30 p.m.
- D. Parade Permit for North Mankato Fun Days Parade, Saturday, July 7, from 11 a.m. to 2 p.m.

E. Notice of Channel Additions and Changes from Charter.

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

### **Staff Reports**

#### **City Planner**

#### **Minutes of April 12, 2012 Planning Commission Meeting**

The Council accepted the minutes of the April 12, 2012 Planning Commission meeting.

#### **V-1-12, Variance Request to Reduce Side Yard Setback from 10 feet to 0 feet and Reduce Rear Yard Setback from 10 feet to 4 feet at 1710 Commerce Drive**

Planner Fischer presented a variance request from Growth Holdings, LLC to reduce a side yard setback from 10 feet to 0 feet and a rear yard setback from 10 feet to 4 feet at 1710 Commerce Drive. He reported the applicant is proposing a redevelopment of the former Budget Mart on Commerce Drive including a 1,500 sq. ft. addition to the existing building. To accommodate parking on the property, the owner is seeking setback variances on the north and east sides of the property. He also noted that in order to increase parking opportunities on the site, the City is working with the owner to create parking spaces within the LorRay Drive right-of-way. A previous variance was granted for this site in 2008 to Family Video, however, that project did not occur and the variance was not recorded. The Planning Commission reviewed V-1-12 and recommended approval. **Council Member Freyberg moved, seconded by Council Member Schindle, to approve V-1-12. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

#### **Preliminary Plat of North Ridge Estates Phase XIV, a Replat of Lot 1, Block 5, North Ridge Estates Phase XI**

Planner Fischer reported Octavian Properties has recently purchased a vacant 2.2-acre parcel of land located between Pleasant View Drive and Pleasant View Park in order to create seven (7) lots to accommodate the future construction of single-family homes. As part of the proposed subdivision, Pleasant View Court would be constructed as a private improvement and it is necessary for the owner to incorporate a storm water holding pond within the development. The Planning Commission reviewed and recommended approval of the preliminary plat of North Ridge Estates Phase XIV subject to the addition of engineered storm water detention into the final plat. **Council Member Schindle moved, seconded by Council Member Steiner, to approve the preliminary plat of North Ridge Estates Phase XIV subject to the addition of engineered storm water detention into the final plat. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

### **City Administrator**

#### **Res. No. 27-12 Authorizing Execution of Sub-Grant Agreement for Hazard Mitigation Assistance**

Administrator Sande presented Resolution No. 27-12 Authorizing Execution of Sub-Grant Agreement for Hazard Mitigation Assistance. He reported Nicollet County participates in a hazard mitigation planning process that was established under the Disaster Mitigation Act of 2000. The resolution will allow us to participate should funds become available to the County for a hazard mitigation project; however, nothing specific is being proposed at this time. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 27-12 Authorizing Execution of Sub-Grant Agreement for Hazard Mitigation Assistance. Vote on the Resolution: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

**2012 Sealcoat Streets**

Administrator Sande presented the proposed list of streets scheduled for seal coating in 2012 as follows: Countryside Drive – LorRay Drive to East End; Howard Drive – Lookout Drive to Countryside Drive; Shannon Court; Sandi Court; Valley View Court; Tower Boulevard – Lee Boulevard to Commerce Drive; Roe Crest Drive – Lee Boulevard to Commerce Drive; James Drive – Commerce Lane to LorRay Drive; Northway Drive – Tower Boulevard to LorRay Drive; Escape Route – Marvin Boulevard to Judson Bottom Road; Old Belgrade Hill; Lake Street – Belgrade Avenue to Webster Avenue; Garfield – West End of Garfield Avenue to Range Street; Grant Avenue – Lake Street to Center Street; Range Street – Webster Avenue to Cross Street, Belgrade Avenue to South End; Nicollet Avenue – Range Street to Belgrade Avenue (east intersection). Mayor Dehen requested that in light of the detour which will be taking place due to the 14/41 Interchange Project, that the seal coating on Howard Drive from LorRay Drive to Lookout Drive be delayed until 2013 and that the Street Superintendent suggest an alternate street. **Council Member Norland moved, seconded by Council Member Steiner, to approve the list of streets to be seal coated in 2012 with the exception of Howard Drive from LorRay Drive to Lookout Drive. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye, no nays. Motion carried.**

**Charter Price Adjustments effective June 1, 2012**

Administrator Sande presented the notification from Charter Communications regarding rate increases that go into effect June 1, 2012.

**Report on Caswell Park Project**

Administrator Sande updated the Council on the projects at Caswell Park. He reported the roof replacement at the concession building is nearly complete, resetting of the press box and rooftop gazebo should take place the week of April 16<sup>th</sup>. Work has been completed in rerouting the roof drains through the well house and concession building. The batting cage project is complete including the lighting which will also provide security lighting to the south end of the east Caswell parking lot. The sand volleyball courts have been upgraded with new sand, replacement of the posts and nets and upgraded lighting. Administrator Sande reported the first softball tournament of the season took place on April 14, 2012.

**Report on Advertising Sales**

Administrator Sande presented background information regarding advertising opportunities in North Mankato including the *City News and Views* newsletter, 2012-2013 Visitor's Guide and Caswell Park signage. Advertising specification sheets were sent to all businesses. Fourteen businesses responded and will advertise in the Spring edition of the *City News and Views* newsletter and 18 businesses committed to advertising in the 2012-2013 Visitor's Guide. Since publication of the *City News and Views* reached the residents and businesses in North Mankato, several businesses have contacted the City and expressed interest in the Fall edition. Administrator Sande reported that after considering the advertising options at Caswell Park, advertising copy will be displayed along with tournament schedules, scores and other relevant information using a digital advertising format. Two businesses have expressed interest in the digital advertising at Caswell Park and once the digital advertising board is installed at Caswell Park he believes more businesses will be interested. Council Member Schindle asked for cost figures for the digital advertising equipment. The Mayor suggested monitors not only at Caswell Park but at the Best Western Plus and City Hall. Council Member Norland commended staff for their work on the latest copy of the *City News and Views*.

**Sale of Surplus Vehicles**

Administrator Sande presented a bid tabulation for the sale of surplus vehicles. He reported the high bid for the 1983 GMC One-Ton Flatbed Utility Truck is \$1,999.99 and the high bid for the 1996 Ford Bronco is \$1,251.50. **Council Member Steiner moved, seconded by Council Member Norland, to approve the sale of the surplus vehicles to the highest bidders. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

**Approve Purchase of Playstructure for Benson Park**

Administrator Sande presented a proposal from Clearwater Recreation for a playstructure and swing set to be installed at Benson Park. He reported the playstructure and swings would be installed north of the small parking lot that is in the southwest corner of the park adjacent to the walking trail that leads to the housing along the west side of the park. The improvement would be funded from the Sales Tax Fund. **Council Member Norland moved, seconded by Council Member Schindle, to approve the purchase of a playstructure and swings for Benson Park from Clearwater Recreation. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

**Schools and Conferences**

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

1. LMC 2012 Safety & Loss Control Workshop, Rochester, April 24, for Finance Director.
2. Greater Mankato Talent Symposium, Mankato, May 2, for Mayor.
3. Strategies for the Recorded Interview, St. Louis Park, September 23, for One Patrol Officer.

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

**City Clerk****Application for Soft Drink and Cigarette Licenses for Staples Enterprises, Inc. d/b/a Express Way, 238 Belgrade Avenue**

The Clerk presented an application for soft drink and cigarette licenses for Staples Enterprises, Inc. d/b/a Express Way, 238 Belgrade Avenue. She reported the necessary paperwork and insurance are in order. The owners believe Express Way will open during the month of May. **Council Member Schindle moved, seconded by Council Member Norland, to approve the soft drink and cigarette licenses for Staples Enterprises, Inc. d/b/a Express Way at 238 Belgrade Avenue. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

**City Engineer**

Engineer Malm reported a pre-construction meeting for the 14/41 Interchange Project is scheduled for Wednesday, April 18, 2012.

**Report from Council Members****Council Member Steiner**

Council Member Steiner asked about the possibility of re-instating Fall pick up due to the savings incurred from the mild winter. Administrator Sande suggested a good time to revisit this would be at mid-year with an update on the budget progress. This item will be put on the Council agenda for review at that time.

**Council Member Schindle**

Council Member Schindle asked if the assessments on the lots being sold at the tax-forfeited sale are included in the minimum bid prices. Administrator Sande reported the assessments are included in the minimum bid prices. He has contacted several developers regarding the R-2 zoned lots which are part of the public sale of tax-forfeited land.

**Report from the Mayor****Proclamation Declaring May 12-19, 2012 as North Mankato and Mankato Bike Week**

Mayor Dehen read a proclamation declaring May 12-19, 2012 as North Mankato and Mankato Bike Week and encouraged all citizens to get out and ride their bikes.

**Schedule of Events for Bike and Walk Week, May 12-19, 2012**

The Mayor presented a schedule of events for Bike Week including a bike rodeo for 3<sup>rd</sup>-5<sup>th</sup> graders at Roosevelt and Hoover, recycling bicycles at Flying Penguin Outdoor Sports, and biking to Nicollet Bike Shop on Saturday, May 12; bike, walk or carpool to a religious service and bike or walk with mom, dad or a friend on Sunday, May 13; bike or walk to Tandem Bagels between 6:30-9 a.m. for a free coffee and bagel on Monday, May 14; stop by Key City Bike to learn about their mission and work on your bike on Tuesday, May 15; Mayor's Ride departing from Flying Penguin Outdoor Sports, Ride of Silence, at 6 p.m. on Wednesday, May 16; watch bike polo match at 7 p.m. on Thursday, May 17; bike or walk to work, meet at Pub 500 at 5:30 p.m. to celebrate Bike and Walk Week on Friday, May 18; and Red Jacket Trestle Reopening Celebration at 10 a.m. on Saturday, May 19.

**Report of Liaison Committee Meeting of April 9, 2012**

The Mayor reported discussion was held at the North Mankato/Nicollet County Liaison Committee meeting regarding Highway 14. The Highway 14 Audit Report will be released by the Minnesota Department of Transportation at 3 p.m. on Tuesday, April 17, 2012.

The Mayor reported personnel from Nicollet County and the City of North Mankato looked at chip spreaders and decided on the brand and unit that will be purchased jointly by the County and City.

**“Coffee with the Council”**

The Mayor reported that “Coffee with the Council” was held from 10 a.m. to 11 a.m. on Saturday, April 14, 2012 at Culvers. Members of Business on Belgrade reported they are considering an Oktoberfest celebration to be held on Saturday, October 6, 2012 to coincide with River Ramble which will be held on Sunday, October 7, 2012.

The Mayor reported the next “Coffee with the Council” will be held from 10 a.m. to 11 a.m. on Saturday, May 12, 2012 at the City's newest business, Natural Pathways, 229 Belgrade Avenue. He also reported Natural Pathways will hold their grand opening on Monday, April 23, 2012.

**Open the Meeting to the Public for the Second Time****Phil Henry, 1300 Noretta Drive**

Phil Henry, 1300 Noretta Drive, appeared before the Council and stated the North Mankato Taylor Library is a fantastic resource for residents of the City of North Mankato. Mr. Henry also asked about the claim for legal fees to Moss & Barrett and why the City Attorney did not do this work, if the property at 815 Park Avenue was in foreclosure, and stated that all future City surplus equipment and vehicles should be sold only after taking public bids. Attorney Kennedy reported the legal fees paid to Moss & Barrett are for renewal of the cable franchise ordinance and this, along with bond counsel, is a specialized area that he does not handle.

**Bills and Appropriations**

Council Member Steiner moved, seconded by Council Member Norland, to approve all bills and appropriations in the amount of \$224,244.37. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:07 p.m. on a motion by Council Member Steiner, seconded by Council Member Norland. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen; aye; no nays. Motion carried.

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Mayor

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City Clerk