

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 July 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 Norland, Schindle and Steiner, Interim City Administrator Fischer, City Clerk Gehrke, Attorney Kennedy and Engineer Malm. Absent: Council Member Freyberg and Finance Director Thorne.

Approval of Agenda

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

Approval of Minutes

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

Correspondence**Letter from Senator Al Franken**

Mayor Dehen read a letter from United States Senator Al Franken with congratulations for being named the 11th “best small place for business and careers” according to the Forbes listing.

Open the Meeting to the Public for the First Time**Mankato Area Hockey Association (MAHA) – Facilities Update**

Marcus Peterson, Chris Hvinden and Brent Rundle, Mankato Area Hockey Association (MAHA) appeared before the Council and gave a PowerPoint presentation detailing the growth of Mankato area hockey and the deficiency in available ice time at All Seasons Arena. They reported MAHA would take the lead on exploring additional ice facilities and would like to partner with the local municipalities in an effort to find a solution to the ice shortage for the 24 user groups. Mayor Dehen asked them to keep the City of North Mankato informed of their progress.

Kim Spears, 916 South Avenue

Kim Spears, 916 South Avenue, appeared before the Council with a number of issues of concern including the sunset clause for the Bike Committee (the sunset clause was included as part of the motion establishing the committee at the June 4, 2012 Council meeting), the establishment of a Park Committee (Mayor Dehen reported this was delayed for discussion since Council Member Norland was not in attendance at the June 4th Council meeting), setting of a second public hearing for the annexation of the Chester property (Mayor Dehen stated he directed a second public hearing be set for the consideration of the annexation of the Chester property), the expenditure of \$2,500 for a mobile home (Mayor Dehen reported the City has a program whereby worn out mobile homes are purchased for use by the Police and Fire Departments and then removed in an effort to keep the mobile home parks more livable), and the request for Community Development funds for the Art Park at 342 Belgrade Avenue (Mayor Dehen reported this is an agenda item and will be discussed later in the meeting).

Consent Agenda

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

- a. Large Group Permit for Coughlan Companies Picnic, Spring Lake Park, Tuesday, August 7, 2012 from 8 a.m. to 5 p.m.
- b. Res. No. 45-12 Approving Donations/Contributions.

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

City Planner

Minutes of July 12, 2012 Planning Commission Meeting

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

V-2-12, Variance Request to Reduce Side Yard Setback from 5 feet to 2.5 feet and Rear Yard Setback from 25 feet to 0.7 feet

Planner Fischer presented a variance request from Jon Roiger to reduce a side yard setback from 5 feet to 2.5 feet and a rear yard setback from 25 feet to 0.7 feet to replace a garage at 203 Cross Street. Planner Fischer reported that due to the small size of the applicant's property, without a variance the replacement of the existing garage would be difficult. Jon Roiger was in attendance to answer any questions. The Planning Commission reviewed this request and recommended approval of V-2-12 subject to compliance with all state and local building codes related to fire protection. **Council Member Schindle moved, seconded by Council Member Steiner, to approve V-2-12 subject to compliance with all state and local building codes related to fire protection. Vote on the motion: Norland, Schindle, Steiner and Dehen, aye; no nays. Motion carried.**

Preliminary and Final Plat of North Ridge Estates Phase XV

Planner Fischer presented a request from John Pavek to replat Outlot B, North Ridge Estates Phase XI which was originally platted to accommodate a temporary lift station. Since the temporary lift station has been removed from Outlot B, the City has deeded the lot back to the owner. The applicant is proposing to rename the property to Lot 1, Block 1, North Ridge Estates Phase XV and construct a single-family dwelling on the lot. The Planning Commission reviewed this request and recommended approval of the preliminary and final plat of North Ridge Estates Phase XV. **Council Member Steiner moved, seconded by Council Member Norland to approve the preliminary and final plat of North Ridge Estates, Phase XV. Vote on the motion: Norland, Schindle, Steiner and Dehen, aye; no nays. Motion carried.**

Set Public Hearing for 7 p.m. on Monday, August 20, 2012 to Consider Adoption of Ordinance of Annexation of Land, Robert J. Chester Property

Planner Fischer presented a request to set a public hearing to consider the adoption of Ordinance of Annexation of the Robert J. Chester property, a 1.88-acre parcel of land which is completely surrounded by the City limits. He reported this request was considered by the City Council on July 2, 2012, however, no action was taken and staff has been directed to set another public hearing to consider this annexation. **Council Member Norland moved, seconded by Council Member Steiner, to set a public hearing for 7 p.m. on Monday, August 20, 2012 to consider adoption of Ordinance of Annexation of the Robert J. Chester property, 1.88 acres. Vote on the motion: Norland, Schindle, Steiner and Dehen, aye; no nays. Motion carried.**

Interim City Administrator

Art Park Funding, 342 Belgrade Avenue

Interim Administrator Fischer presented a request from Etzell Properties for funding in the amount of \$2,567 for the Arts Park at 342 Belgrade Avenue. He reported Etzell Properties submitted a funding request to the Port Authority for assistance in developing the Art Park. However, as the Port

Authority believed the funding request did not align with the Central Business District grant program, it was requested that funding could potentially come from the Community Development Fund. Karen Etzell, 2009 Roe Crest Drive and Lu Mulder, 348 Wheeler Avenue, the artist working on the Art Park, appeared before the Council and summarized the project reporting that Minnesota's rivers are the defining features of the landscape. **Council Member Schindle moved, seconded by Council Member Norland, to approve funding in the amount of \$2,567 for the Art Park project. Vote on the motion: Norland, Schindle, Steiner and Dehen, aye; no nays. Motion carried.**

School and Conference

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

1. Pesticide Applicator Recertification Workshop, Andover, August 22, for one Park Maintenance Worker.

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

City Clerk

Res. No. 46-12 Appointing Election Judges

Clerk Gehrke presented Resolution No. 46-12 Appointing Election Judges for the Primary Election to be held on Tuesday, August 14, 2012. **Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 46-12 Appointing Election Judges for the Primary Election on August 14, 2012. Vote on the Resolution: Norland, Schindle, Steiner and Dehen, aye; no nays. Motion carried.**

Notice of Candidate Filing Period for Offices of Mayor and Two Council Members

Clerk Gehrke reported the Candidate Filing Period for the Office of Mayor and two Council Members begins at 8 a.m. on Tuesday, July 31, 2012 and ends at 5 p.m. on Tuesday, August 14, 2012.

City Engineer

Engineer Malm reported excellent progress on the Highway 14 Project.

Report from Council Members

Council Member Norland

Council Member Norland reported she attended the Region 9 Development Commission meeting last week and as a Metropolitan Statistical Area it is necessary to supply a person to be a part of the Metropolitan Planning Organization.

Council Member Norland reported she will be bringing a motion forward at the next Council meeting to install a natural play structure at the southwest corner of Benson Park.

Report from the Mayor

“Coffee with the Council”

The Mayor reported “Coffee with the Council” was held at ExpressWay, 238 Belgrade Avenue on Saturday, July 14, 2012.

Open Portion of the Meeting

The Mayor presented options for the Council to consider as a measure to better manage the open portion of the Council meetings. He reported Council Member Freyberg shared his experience

with the open portion of the meetings when he sat on the Mankato City Council. Discussion was limited to two minutes with an extension of two minutes at the discretion of the Council. Attorney Kennedy reported that the League of Minnesota Cities suggests a total of three minutes and that written materials be submitted to the Council prior to the meeting. He also reported that some cities set rules if someone wants to speak at the meeting, prior notification must be given. Council Member Schindle suggested that the agenda be realigned listing scheduled guests for items such as insurance renewal, bonding proposals, etc. as separate agenda items and that "Open the Meeting to the Public" be used only for those wishing to address the Council. **Council Member Norland moved, seconded by Council Member Schindle, to realign the agenda so that scheduled guests are considered a part of the regular agenda listed after "Correspondence" and those wishing to address the Council under "Open the Meeting to the Public" be given three minutes to speak, written comments may be submitted, at the Council's discretion time may be extended beyond the three minutes and "Open the Meeting to the Public" will occur at both the beginning and the end of the Council meetings. Vote on the motion: Norland, Schindle, Steiner and Dehen; aye; no nays. Motion carried.**

**Open the Meeting to the Public for the Second Time
Kim Spears, 916 South Avenue**

Kim Spears, 916 South Avenue, appeared before the Council and asked if any remuneration was given for the Outlot used for the temporary lift station when the land was platted to the City. Interim Administrator Fischer reported that no payment was made for the Outlot when it was platted to the City or when it was returned to the developer. Mr. Spears stated he felt disrespected because he was not able to make comments about the Art Park prior to the Council approving the request for funds for this park.

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and complimented the Council about the new guidelines for the open portion of the Council meetings.

Barbara Church, 102 E. Wheeler Avenue

Barbara Church, 102 E. Wheeler Avenue, appeared before the Council and stated it was her understanding that interested parties were able to speak for five minutes versus the newly established three minutes. Ms. Church thanked staff for explaining to her the necessary steps to view the meetings on the website.

Terry Dobbelaere, 1690 LorRay Drive

Terry Dobbelaere, 1690 LorRay Drive, appeared before the Council and reported he is the owner of 15 Howard Court and is building a home on this property. He asked the status of the water hookup for the Chester property so that the well can be removed from this property and he can continue the construction of his home. Paul Seykora appeared and reported he is the owner of the lots on Coventry Heights and does not have a problem if Chester is not annexed into the City; however, the issue is the removal of the well. Attorney Kennedy reported that at the public hearing of July 2 Mr. Chester stated his opposition to the annexation; however, discussions are ongoing with him. Mayor Dehen reported that if no resolution is made prior to August 20, 2012, a second public hearing will be held to consider the annexation of the Chester property. If the property is annexed into the City, hookup to City water and sewer will be required at that time. Attorney Kennedy reported since Mr. Chester stated at the public hearing he did not want his property annexed into the City no action was taken by the Council. Since that time, new developments have occurred and Mr. Chester may

have reconsidered whether he wants to go forward with the annexation. The Attorney also reported the City has some interest in annexing the Chester property which is completely surrounded by the City.

Bills and Appropriations

Council Member Steiner moved, seconded by Council Member Norland, to approve all bills and appropriations in the amount of \$680,298.08. Vote on the motion: Norland, Schindle, Steiner and Dehen, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:15 p.m.

Mayor

City Clerk