

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 May 21, 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, Freyberg and Steiner, City Administrator Sande, Finance Director Thorne, City Clerk Gehrke, Attorney Kennedy, Engineer Malm and Planner Fischer.

### **Approval of Agenda**

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

### **Approval of Minutes**

**Council Member Freyberg moved, seconded by Council Member Schindle, to approve the minutes of the Council meeting of May 7, 2012. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

### **Correspondence**

#### **Thank-You Letter from Mankato Area LaCrosse Association**

Mayor Dehen presented a letter from the Mankato Area LaCrosse Association thanking the City for the donation of \$500 which was used to purchase new goals for the boys' team.

#### **Letter from Twin Rivers Council for the Arts Executive Director**

Timothy Berry, Twin Rivers Council for the Arts Executive Director, appeared before the Council and presented a lettering thanking the City for including \$10,000 in the City's 2012 Annual Budget for TRCA. He reported that TRCA has experienced significant growth and momentum and has become a central hub for arts and culture in the community. He stated TRCA has played a lead role in the creation of an Arts & Culture Plan tied to downtown redevelopment and has worked with the City Center Partnership in creating the CityArt Walking Sculpture Tour. He reported funding from the City of North Mankato has supported these endeavors as well as others such as the *Emy Frentz Arts Guild* and the first-ever Arts by the River Festival held in Riverfront Park in June 2011.

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

#### **CenterPoint Energy Community Partnership Grant Award – Barry Hager**

Barry Hager, CenterPoint Energy, appeared before the Council and presented a Community Partnership Grant in the amount of \$2,250 for the purchase of digital portable communication radios for the Police Department. Mr. Hager reported CenterPoint Energy is pleased the City of North Mankato applied for grant funds for safety equipment for the Police Department and that the Community Partnership Grants provide financial support to cities in their service area.

#### **Barbara Church, 102 E. Wheeler Avenue**

Barbara Church, 102 E. Wheeler Avenue, appeared before the Council and thanked the City Administrator for letting her know the Joint Port Authority/City Council meeting scheduled for May 14, 2012 had been canceled. She expressed that she would like the joint meeting to be rescheduled.

Ms. Church also expressed her concern about the brush pickup being discontinued curbside. She reported that she does not have a vehicle to accommodate taking brush to the compost site and when she hired someone to remove her brush they were unable to use the North Mankato compost site.

Administrator Sande reported that no contractors are allowed to bring anything to the compost site due to the large volume. Administrator Sande also reiterated that persons who are physically unable to bring their brush to the compost site may call the City and staff will try to accommodate them.

**Sean Webb, 2108 North Ridge Drive**

Sean Webb, 2108 North Ridge Drive, appeared before the Council and expressed his concerns regarding curbside spring and fall pickups being replaced with drop-offs. He stated that his taxes have gone up and if the City of North Mankato is not going to have the amenities such as brush pickup and spring and fall cleanup, he might as well live in Mankato. Mayor Dehen reported the change in the spring and fall cleanup was necessitated because of the State budget and cuts in Local Government Aid. Mr. Webb stated he would be willing to pay a surcharge or fee to have his brush removed.

Mr. Webb also expressed his concern regarding Belle House which is going to be located at 2107 North Ridge Drive stating that all state and federal guidelines and regulations should be followed. Attorney Kennedy shared a letter he received from the Belle House attorney making special note that the City does not have governance over halfway houses unless a variance is requested to allow for more than the six allowed residents.

**Dale Plemmons, 2112 North Ridge Drive**

Dale Plemmons, 2112 North Ridge Drive, appeared before the Council and asked that the street lighting in his neighborhood be reviewed. Staff would review the lighting and make recommendations to the Council and notify Mr. Plemmons of the outcome.

**Phil Henry, 1300 Noretta Drive**

Phil Henry, 1300 Noretta Drive, appeared before the Council expressing his concern about the services that have been cut. He stated the brush pickup was a valuable service to residents and he likes the curbside fall and spring cleanups versus the drop-offs. Administrator Sande reported the disposal costs are the same for either the curbside pickup or the drop-off and that staff has received comments that some like the drop-off because the items are not setting out on the boulevards.

**Consent Agenda**

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

1. Audio and Large Group Permit for St. Paul's Lutheran Worship and Picnic, Spring Lake Park, Sunday, August 26, from 10 a.m. to 1:30 p.m.
2. Large Group Permit for Girl Scout Ceremony, Spring Lake Park, Tuesday, May 29, from 6 p.m. to 9 p.m.
3. Resolution No. 30-12 Declaring Costs to be Assessed for Municipal Charges – 331 McKinley Avenue.
4. Resolution No. 31-12 Approving Donations/Contributions.

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

**City Planner**

**Set Public Hearing for 7 p.m. on Monday, July 2, 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. He reported this is a 1.88-acre parcel of land which has been completely surrounded by the City limits for the past seven years but has not been annexed into the City or connected to the municipal utility systems. He reported that according to Minnesota Statute 414.033, a municipal council may by ordinance declare land annexed to the municipality if the land is completely surrounded by land within the municipal limits. To promote orderly residential development in this area, staff recommends setting a public hearing for 7 p.m. on Monday, July 2, 2012. **Council Member Norland moved, seconded by Council Member Steiner, to set a public hearing for 7 p.m. on Monday, July 2, 2012 to consider adoption of ordinance of annexation of the Robert J. Chester property, 1.88 acres. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

**Set Public Hearing for Vacation of Street Right-of-Way (Adjacent to LorRay Drive), for 7 p.m. on Monday, June 18, 2012**

Planner Fischer reported that in April of 2012 Growth Holdings applied for a variance at 1710 Commerce Drive (former Budget Mart) to reduce side yard setbacks to accommodate parking in conjunction with the renovation and expansion of the building. In order to create additional parking opportunities, the City offered to vacate a portion of the LorRay Drive right-of-way. He reported that as part of this process, it is necessary to set a public hearing for 7 p.m. on Monday, June 18, 2012. **Council Member Steiner moved, seconded by Council Member Norland, to set a public hearing for vacation of street right-of-way (adjacent to LorRay Drive) for 7 p.m. on Monday, June 18, 2012. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

**City Administrator**

**Res. No. 32-12 Approving Collective Bargaining Agreement and Providing for Salary Adjustments for 2012 and 2013**

Administrator Sande reported a proposed settlement has been reached with Law Enforcement Labor Services, Inc. (LELS) Local Number 305 representing the North Mankato Police Patrol Officers for the contract period of January 1, 2012 through December 31, 2013. The contract settlement is agreed to with adjustments as follows: A 1.00 percent increase in base pay effective with the beginning of the first payroll period after July 1, 2012, a 2.00 percent in base pay effective with the beginning of the first payroll period after January 1, 2013, the creation of a pay category entitled "Senior Patrol Officer" for officers with at least 9 years of service with the City effective with the beginning of the first payroll after January 1, 2013 at a rate of pay of 3.00 percent over that of Patrol Officer First Class, elimination of the uniform allowance and folding that dollar amount into the monthly base pay effective with the beginning of the first payroll period after January 1, 2013. The resolution also included the same percentage adjustments for non-union personnel. **Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 32-12 Approving Collective Bargaining Agreement and Providing for Salary Adjustments for 2012 and 2013. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

**Purchase of Surplus Equipment from State of Minnesota Department of Natural Resources**

Administrator Sande reported that pursuant to the Council's directive, staff has been researching the availability of used equipment for the Public Works Department. He reported the City has committed to the purchase of a 1999 Ford F-350 which was declared surplus by the DNR. The unit includes a box, hoist and snowplow and has approximately 13,000 miles on the odometer. The purchase price for this unit is \$16,500 which will be funded from Equipment Certificates. Council

Member Freyberg thanked staff for acquiring equipment in this manner. **Council Member Freyberg moved, seconded by Council Member Steiner, to approve the purchase of the 1999 Ford F-350 for the purchase price of \$16,500. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

#### **Charter Communication Rate Notification**

Administrator Sande presented an announcement from Charter regarding rate changes that will begin with their July 2012 billing cycle. Charter notifies the City of any rate changes as required by the franchise agreement.

#### **City Clerk**

Clerk Gehrke congratulated City Administrator Wendell Sande on his retirement and thanked him for all he has done for the City personnel and for the City of North Mankato over the last 31 years. She stated that it was a pleasure to work for him and that he will be greatly missed.

#### **City Attorney**

Attorney Kennedy presented the letter he received from the Belle House, Inc. attorney and reported there was no action necessary from the City.

#### **City Engineer**

##### **Res. No. 33-12 Accepting Feasibility Report for Project No. 11-07D, Lookout Drive Signal and Project No. 11-06D, Lookout Drive Turn Lanes**

Engineer Malm presented the feasibility report for Project No. 11-07D, Lookout Drive Signal, and Project No. 11-06D, Lookout Drive Turn Lanes. He reported the projects involve signal and turn lane improvements along north bound Lookout Drive between the west bound TH 14 ramps and Howard Drive. The proposed improvements include the construction of a traffic control signal at the west bound TH 14 ramps and the addition of a dedicated free right turn lane at the TH 14 ramp and Howard Drive intersections. Both projects are eligible for MSA funding and 50 percent of the projects will be funded by the Minnesota Department of Transportation. Total estimated cost of the signal project is \$226,473.91; total estimated cost for the concrete pavement option of the Lookout Drive turn lanes is \$730,944.72 and total estimated cost for the bituminous pavement option is \$628,860.87. The City Engineer reported that a March 2010 City Intersection Control Evaluation and a June 2011 MnDOT Intersection Control Evaluation both concluded that this intersection met the test for a traffic control signal. However, MnDOT prefers a round-about and the City prefers semaphore lights. The Engineer reported a round-about for this intersection has not been designed and would require purchase of additional property and that MnDOT is aware of the City's desire to have a signal at this location and not a round-about. The final design for this intersection would require MnDOT approval. The schedule for these projects includes ordering of plans and specifications this winter with 2013 construction. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 33-12 Accepting Feasibility Report for Project No. 11-07D, Lookout Drive Signal and Project No. 11-06D, Lookout Drive Turn Lanes. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

#### **Report from Council Members**

##### **Council Member Schindle**

##### **Minutes of Traffic & Safety Committee Meeting of May 16, 2012**

Council Member Schindle reported the Traffic & Safety Committee met on May 16, 2012 to review striping of LorRay Drive between Eagle Ridge Lane and Timm Road. He reported the Traffic & Safety Committee recommended review of the existing striping on or before November 1, 2012.

The Committee also recommended the installation of an additional off-street parking area. **Council Member Schindle moved, seconded by Council Member Steiner, to accept the recommendation of the Traffic & Safety Committee and review the existing striping on or before November 1, 2012 and have the City Engineer review areas for additional off-street parking. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

### **Council Member Steiner**

Council Member Steiner thanked City Administrator Sande for his years of service, stated that he learned a lot from him and noted some of the many projects that were completed under his direction.

### **Report from the Mayor**

#### **Establish Process for Hiring City Administrator**

The Mayor thanked Administrator Sande for the great job he did while serving as the City Administrator and stated that he enjoyed working with him. The Mayor presented the proposed process for hiring a new City Administrator reporting the position will be advertised on the League of Minnesota Cities website, the City website and would be sent out on the City Managers' listserv. Council Member Norland expressed her concern that the job advertisement also be published in the local newspaper. Mayor Dehen reported he believes the majority of the qualified applicants will see the advertisement either through the LMC website or the City Managers' listserv and the concern with advertising in the newspaper was the cost. The Mayor also reported because of comparable worth requirements the salary range listed would be changed before the advertisement was published. The Mayor reported the Personnel Committee will screen submitted applications and identify up to a maximum of 12 candidates, the top candidates will be interviewed by the Expanded Personnel Committee which will include staff representation by the Deputy City Clerk and 2 at-large North Mankato residents, the top three candidates will be certified as finalists after which in depth background checks will be conducted on the finalists, the finalists will be interviewed by the full City Council open to the public and media, the top choice will be identified and the job offer solidified at a City Council meeting. Council Member Steiner asked that one amendment be made to the hiring process requiring that the 2 at-large North Mankato residents to be appointed to the expanded Personnel Committee be appointed by the entire Council and not only the Mayor. **Council Member Steiner moved, seconded by Council Member Norland, to approve the process for hiring a City Administrator with the amendment to the salary range and that the 2 at-large North Mankato residents appointed to the expanded Personnel Committee are appointed by the entire Council. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

**Council Member Freyberg moved, seconded by Council Member Steiner, to approve the job announcement for hiring the City Administrator. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

**Council Member Freyberg moved, seconded by Council Member Norland, to approve the City Administrator job description. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

#### **Establish Interim City Administrative Plan**

The Mayor presented an Interim City Administrative Plan recommending the Council name City Planner Michael Fischer as the Interim City Administrator, in addition to ongoing service as City Planner. He reported the Interim City Administrator will have full authority to conduct the business of

the City of North Mankato, as directed by the City Council. City Clerk Nancy Gehrke will collaborate with the Interim City Administrator, as necessary, to assure optimal City operation. City staff, City Council and media issues will be directed to the Interim City Administrator.

### **Res. No. 34-12 Appointing Interim City Administrator**

**Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 34-12 Appointing City Planner Michael Fischer as the Interim City Administrator for a period of 120 days or until the position of City Administrator has been filled. Vote on the Resolution: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.**

### **ArtWalk Reception**

Mayor Dehen reported he attended the ArtWalk Reception on Saturday, May 19, 2012. He reported the ArtWalk has expanded into the 300 Block of Belgrade Avenue.

### **Soccer Fields**

Mayor Dehen asked the status of the soccer fields. Administrator Sande reported he is meeting with representatives of the Soccer Association on Friday, May 25, 2012. They will be providing monetary support for the soccer fields at the elementary school. He also reported sand has been salvaged and material from the 41/Howard approach will be hauled in for grading of the soccer fields. Plans for the soccer fields will be presented to the Council in the near future.

### **Batting Cages**

In response to a question from the Mayor, Administrator Sande reported the batting cages have been completed and are ready for use.

### **Air Show**

Mayor Dehen reported tickets can be purchased for the air show to be held June 9-10, 2012 on the website. The Blue Angels' pilots will be at Forsberg Field on Friday, June 8, 2012 to sign autographs prior to the model air show.

### **“Coffee with the Council”**

The Mayor reported the next “Coffee with the Council” will be held from 12 noon to 1 p.m. on Saturday, June 16, 2012 at Mankato Brewery, 1119 Center Street. A tour of the brewery will be conducted immediately following “Coffee with the Council.”

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

#### **Sean Webb, 2108 North Ridge Drive**

Sean Webb, 2108 North Ridge Drive, appeared before the Council and asked about getting an additional street light on North Ridge Drive. He also stated his support for semaphore lighting at Highway 14/Lookout Drive.

#### **Dale Plemmons, 2112 North Ridge Drive**

Dale Plemmons, 2112 North Ridge Drive, appeared before the Council and stated his support for the semaphore lights at Highway 14/Lookout Drive. He reported because of the amount of pedestrian traffic, he does not believe a round-about at this location is appropriate.

**Bills and Appropriations**

Council Member Steiner moved, seconded by Council Member Norland, to approve all bills and appropriations in the amount of \$959,310.39. 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 8:21 p.m. on a motion by Council Member Schindle, seconded by Council Member Norland. Vote on the motion: Norland, Schindle, Freyberg, Steiner and Dehen, aye; no nays. Motion carried.

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Mayor

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City Clerk