

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 October 15, 2012. 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 Freyberg, Steiner, Norland and Schindle, Interim Administrator Fischer, Attorney Kennedy, Engineer Malm, Finance Director Thorne and City Clerk Gehrke.

Approval of Agenda

Council Member Schindle moved, seconded by Council Member Freyberg, 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 Freyberg moved, seconded by Council Member Norland, to approve the minutes of the Council Workshop of October 1, 2012 with one change. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of October 1, 2012. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Correspondence – none.

Public Hearing, 7 p.m. – Vacation of Utility Easements – Northport No. 14

The Mayor opened the public hearing to consider vacation of utility easements in Northport No. 14. The public hearing notice was published in the official newspaper and the Affidavit of Publication is included in the packet. Interim Administrator Fischer reported that as part of the replatting of land in the Northport Industrial Park, it is necessary to vacate existing utility easements. As part of the vacation process, a public hearing must be held to provide comment. The utility companies have been contacted and no utilities are in the easements. He reported Cemstone will be acquiring six acres and replatting Northport No. 14 as Northport No. 17. With no one else appearing before the Council, the Mayor closed this portion of the meeting.

Res. No. 63-12 Vacating Utility Easements – Northport No. 14

Council Member Schindle moved, seconded by Council Member Norland, to adopt Resolution No. 63-12 Vacating Utility Easements – Northport No. 14. Vote on the Resolution: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Open the Meeting to the Public for the First Time

Kim Spears, 916 South Avenue

Kim Spears, 916 South Avenue, appeared before the Council with questions about the City filing charges against Brian Mechler for the appearance of his property. The City Attorney reported the Prosecuting Attorney makes the decision to file charges and no comment will be made while charges are pending. The City Attorney reported that a retainer agreement is in place with the City and all expenses related to criminal charges, with the exception of appeals, are pursuant to the retainer agreement.

Thomas Daley, 413-1/2 Range Street

Thomas Daley, 413-1/2 Range Street, appeared before the Council to address the following

items: 1) Request for radar speed limit signage for Range Street as was installed in the 200 block of Belgrade Avenue; 2) Safety signage for the alley between Range and Cross Street; 3) Naming said alley "Old Brickyard Alley" and 4) Request to plant prairie grass in his backyard. Mayor Dehen reported the first three items would be referred to the Traffic & Safety Committee. Council Member Norland requested a discussion of prairie grasses be held at a future Council Workshop.

Consent Agenda

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

1. Audio and Large Group Permit for Crossview Covenant Church Picnic, Spring Lake Park, Sunday, September 15, 2013 from 8 a.m. to 3 p.m.
2. Res. No. 64-12 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church, 546 Grant Avenue.
3. Res. No. 65-12 Declaring Costs to be Assessed for Municipal Charges – 820 Belgrade Avenue.

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

Staff Reports

City Planner

Minutes of October 11, 2012 Planning Commission Meeting

The Council accepted the minutes of the October 11, 2012 Planning Commission meeting.

Z-1-12, Request to Rezone 1620/1622 Sharon Drive and 1624 Sharon Drive/1614 James Drive from R-1, One-Family Dwelling District to R-2, One- and Two-Family Dwelling District

Planner Fischer presented a request from Patty Yahnke and Mark Miller to rezone their properties addressed as 1620/1622 Sharon Drive and 1624 Sharon Drive/1614 James Drive from R-1 to R-2. He reported in 2005 a down-zoning process occurred which included the rezoning of the applicants' properties from R-2 to R-1. The applicants have two-family dwellings in R-1 zoning districts and are requesting zoning changes from R-1 to R-2 as the homes were built as duplexes and would be difficult to convert to single-family homes. The Planning Commission reviewed and recommended approval of Z-1-12 based on the fact the dwellings were constructed as two-unit dwellings in R-2 zones and there is area land which is zoned R-2.

Ord. No. 45, Fourth Series, Amending Chapter 156, Zoning Code

Council Member Steiner moved, seconded by Council Member Schindle, to adopt Ord. No. 45, Fourth Series, Amending Chapter 156, Zoning Code rezoning 1620/1622 Sharon Drive and 1624 Sharon Drive/1614 James Drive from R-1, One-Family Dwelling District to R-2, One- and Two-Family Dwelling District. Vote on the Ordinance: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Preliminary and Final Plat of Commerce Industrial Park No. 3

Planner Fischer presented a request from Growth Holdings, LLC to replat Registered Land Survey No. 25 with vacated LorRay Drive right-of-way as Commerce Industrial Park No. 3. He reported the platting is necessary to accommodate the redevelopment efforts at the former Commerce Drive Budget Mart. The Planning Commission reviewed the preliminary and final plat of Commerce Industrial Park No. 3 and recommended approval. **Council Member Steiner moved, seconded by Council Member Norland, to approve the preliminary and final plat of Commerce Industrial**

Park No. 3. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Preliminary and Final Plat of Nikden North

Planner Fischer presented a request from Community Bank Mankato to replat Lot 3, Block 2, Valley View Subdivision as Nikden North. He reported this same plat was approved by the City Council in 2008 at the request of a different property owner who did not formally record the plat with Nicollet County. The applicant is requesting the same replat to accommodate the individual sale of a two-family dwelling on Howard Drive. The Planning Commission reviewed the preliminary and final plat of Nikden North and recommended approval. **Council Member Schindle moved, seconded by Council Member Norland, to approve the preliminary and final plat of Nikden North. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

Preliminary and Final Plat of Northport No. 17

Planner Fischer presented a request from the North Mankato Port Authority to replat Lot 1, Block 1, Outlot A and Outlot B, Northport No. 14 as Northport No. 17. He reported Northport No. 14 was platted to accommodate a specific industry who located on a different site within the industrial park. The plat consists of a six-acre lot for industrial development to accommodate the addition of Cemstone. The Planning Commission reviewed the preliminary and final plat of Northport No. 17 and recommended approval. **Council Member Steiner moved, seconded by Council Member Norland, to approve the preliminary and final plat of Northport No. 17. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.**

Use of Temporary Signs

Planner Fischer reported the Planning Commission reviewed the Sign Ordinance as it relates to the use of temporary signs. The Commission discussed enforcement, penalties for improper display and temporary sign regulations used in the City of Mankato. The Planning Commission believes the temporary sign ordinance is reasonable and recommended no changes to the City Council.

Interim City Administrator

Update of Caswell North Soccer Complex

Interim Administrator Fischer reported Phase 1 of the Caswell North Soccer Complex is 90 percent completed. He reported the site work, drainage, irrigation and grading is complete. The parking lot has been prepared for next year. He reported that due to the dry conditions, seeding of the fields will be applied in the spring with a winter cover planted this year. Phase 2 of the project will include the completion of the parking lot and concession stand. Play is scheduled to begin in 2014.

Set Public Hearing for 2013 Budget for 7 p.m. on Monday, December 3, 2012

Council Member Norland moved, seconded by Council Member Steiner, to set a public hearing for the 2013 Budget for 7 p.m. on Monday, December 3, 2012. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Set Public Hearing for Five-Year Capital Improvement Plan, 2013-2017 for 7 p.m. on Monday, December 17, 2012

Council Member Steiner moved, seconded by Council Member Norland, to set a public hearing for the Five-Year Capital Improvement Plan, 2013-2017 for 7 p.m. on Monday, December 17, 2012. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

Schools and Conferences

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

1. Decision Making and Problem Solving, November 27, Leadership and Influence, November 28, Hennepin County Emergency Preparedness Office, for Emergency Management Director.
2. MSCIC Winter Conference, Mankato, January 14-15, 2013, for 7 Patrol Officers.

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

City Clerk

The City Clerk reported that Tuesday, October 16, 2012 is the last day to pre-register to vote at the November 6, 2012 General Election. She reported residents may register to vote on election day at their polling places with the proper identification.

Report from Council Members

Council Member Freyberg

Council Member Freyberg asked when the meeting with the sports complex group would be held. Mayor Dehen reported he has been speaking with some of the sports groups including the Mankato Area Hockey Association, swimming facility advocates and I & S Group. He suggested a Workshop be held at 6 p.m. on Monday, November 19, 2012 to discuss the sports complex.

Council Member Freyberg reported the Bike Commission meeting will be held on Wednesday, October 17, 2012.

Council Member Steiner

Council Member Steiner reported he had a report from a Belvista resident that Daryl Meyer cleaned the green space on Belvista Drive. He thanked him for being a good neighbor.

Council Member Norland

Council Member Norland reminded residents that trees make their own fertilizer and recommended residents mulch their leaves versus taking them to the compost site.

Report from Mayor

Mayor Dehen reported there was a nice turnout for Coffee with the Council held at the Nakato Bar & Grill on Saturday, October 13, 2012. A location for the November Coffee with the Council has not yet been determined.

The Mayor reported funding for the Marigold Project is nearing completion and a presentation will be held at the Port Authority meeting at 7:30 a.m. on Tuesday, October 30, 2012. A public open house will be held from 6-7 p.m. on Tuesday, October 30, 2012. Notice of the public open house will be published on the City website www.northmankato.com and in the City utility bills. The Marigold Project consists of a \$17 million 108-unit apartment complex. Construction is scheduled to begin in November 2012 with completion scheduled for November 2013. The Mayor reported real estate taxes on the project should be \$245,000 annually which will be used to pay off the outstanding bonds on the site with some revenue to the City.

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 encouraged residents to mulch their leaves. He also expressed concern about the amount of water that would be needed for the Caswell North soccer fields.

Bills and Appropriations

Council Member Norland moved, seconded by Council Member Steiner, to approve all bills and appropriations in the amount of \$386,784.08. Vote on the motion: Freyberg, Steiner, Norland, Schindle and Dehen, aye; no nays. Motion carried.

HVAC

Interim Administrator Fischer reported a second quote was received for the HVAC for the Municipal Building. As discussed at the Council Workshop of October 15, 2012, the unit is original to the building, parts can no longer be found and repairs cannot be made to the HVAC. He reported it would be cost-effective to do both the heat and air conditioning in 2012 versus doing the heat in 2012 and the air conditioning in 2013. He recommended awarding the quote to Schwickerts to replace the HVAC in 2012. Council Member Freyberg requested a bidding process be done earlier for future equipment or capital improvements. **Council Member Norland moved, seconded by Council Member Steiner, to award the quote to Schwickerts to replace the HVAC in 2012. 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 7:53 p.m.

Mayor

City Clerk