

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 January 21, 2014. 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, Freyberg, Spears and Steiner, City Administrator Harrenstein, City Clerk Gehrke, Attorney Kennedy, Engineer Sarff, Planner Fischer and Public Works Director Swanson. Absent: Finance Director Thorne.

Approval of Agenda

Council Member Norland moved, seconded by Council Member Freyberg, to approve the agenda as presented. Vote on the motion: Norland, Freyberg, Spears, Steiner 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 January 6, 2014. Vote on the motion: Norland Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.

Public Hearing, 7 p.m. – Consider Amendments to R-3, R-4 and CBD Sections of the Zoning Code

The Mayor opened the public hearing to consider amendments to the R-3, R-4 and CBD section of the Zoning Code. The Notice of Public Hearing and Affidavit of Publication were presented in the Council packet. The following residents appeared before the Council to state they were not in favor of the amendments to the R-3, R-4 and CBD sections of the Zoning Code: Tom Marks, 428 Wheeler Avenue; Tom Hagen, 927 Lake Street; John Hurd, 732 Garfield Avenue; Denny Savik, 810 Belgrade Avenue; Sharon Schaller, Sharon's Craft-N-Floral, 241 Belgrade Avenue; and Barb Church, 102 E. Wheeler Avenue. The following residents appeared before the Council and stated they were in favor of the R-3, R-4 and CBD zoning changes: Lynn Solo, 726 Grant Avenue; Jim Whitlock, 332 Belgrade Avenue; Jim Downs, 2444 Northridge Drive and owner of NaKato Bar & Grill; and Linda Flom Raschke, 1924 Haughton Avenue. Matthius Leyrer, 632 Belgrade Avenue, appeared before the Council and advocated for a change to the zoning code that would bring businesses and residents back, that has density and that values pedestrians over vehicles. There being no one else appearing before the Council, this portion of the meeting was closed.

Ord. No. 53, Fourth Series, Amending R-3, R-4 and CBD Zoning Districts

Council Member Norland moved, seconded by Council Member Steiner, to adopt Ord. No. 53, Fourth Series, Amending R-3, R-4 and CBD Zoning Districts. Council Member Norland stated she agrees that it is time to move ahead with the code changes and bring density housing and new projects and new jobs to North Mankato. Council Member Steiner reported projects that would fit within the new zoning districts have been approved by Envision 2020, City Center Partnership, Nicollet County and the Planning Commission. Council Member Freyberg stated he believes the process is flawed, that an \$18,000 study by I & S Engineering which is basically our land use management plan for downtown does not incorporate any of the zoning or code changes. He reported that on page 13 of the Plan it states that new projects should complement existing buildings. He stated he does not understand why these zoning changes cannot wait until the Comprehensive Plan is completed. Council Member Spears stated he is confused about these zoning changes and asked why the changes can't wait until the

Comprehensive Plan is completed. The Mayor asked the City Administrator what advantage there was to adopting the zoning changes now versus waiting until completion of the Comprehensive Plan. The City Administrator reported the statement that this process has not been transparent is completely false; we are a very transparent organization. All meetings are open to the public and accept public comment which has been given and heard. He reported there is not a developer's agreement in place for the Marigold property nor the property owned by Mick Montag. He reported the Planning Commission has met twice on the proposed zoning changes and voted in the affirmative both times. The Mayor reported staff has reviewed the zoning code in surrounding communities, that the City of Mankato will have \$125 million in construction in 2014 and that it is important to support the retail community and make our community competitive. The code needs to be updated and we need to think of density to make ourselves more competitive. Public hearings and multiple open houses were held to listen to commentary and the zoning changes will not oppose the Comprehensive Plan. He stated that no projects are shovel-ready and that unfortunately we have set up an anti-business tenor and the City needs to move forward. **Vote on the Ordinance: Norland, Steiner and Dehen, aye; Freyberg abstained; Spears, nay. Motion carried.**

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 09-14 Approving Donations/Contributions/Grants.
- C. Authorize Purchase of 2014 Ford Police Interceptor SUV.
- D. Parade Permit for Lasting Imprint "Our Community Has Heart" 5K Walk/Run, Spring Lake Park, Saturday, May 17, 2014 from 9-10 a.m.
- E. Audio and Large Group Permit for Lasting Imprint "Our Community Has Heart" 5K Walk/Run, Spring Lake Park, Saturday, May 17, 2014 from 5:30 a.m. to 3 p.m.
- F. Audio and Large Group Permit for Carlson Craft Company Picnic, Spring Lake Park, Sunday, September 21, 2014, from 8 a.m. to 5 p.m.
- G. Accept all bids for 2014 Material and Equipment Rental Rates from bid opening of January 6, 2014.

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

Public Comments

Caleb Winderlich, 921 Lake Street

Caleb Winderlich, 921 Lake Street, appeared before the Council to express his concern regarding the audio at Spring Lake Park.

Tom Hagen, 927 Lake Street

Tom Hagen, 927 Lake Street, appeared before the Council to express his concern regarding the audio at Spring Lake Park. The City Clerk reported she would remind permit holders to keep the volume at a reasonable level and to aim the speakers away from the hillside.

Business Items**Set Public Hearing for 7 p.m. on Tuesday, February 18, 2014 for Revision of City Code, Section 32.30 Port Authority Commission**

Administrator Harrenstein presented a memo recommending changes to economic development policies and structure of the City and North Mankato Port Authority Commission. He reported that following the Mayor's appointment of the entire City Council to the North Mankato Port Authority at the last Council meeting, staff is recommending acting on the revision to City Code Section 32.30 so that the terms of Office of the Mayor and City Council are concurrent with the terms of office they were elected to by the voters. He summarized this action was taken to resolve the questions of transparency voiced by members of the stakeholder group asked to provide input into the new economic development policies. In response to a question regarding the times set for Port Authority Commission meetings, the City Administrator reported the Port Authority Commission bylaws will be updated and approved at an upcoming Port Authority Commission meeting. **Council Member Steiner moved, seconded by Council Member Norland, to set a public hearing for 7 p.m. on Tuesday, February 18, 2014 to consider Revision of the City Code, Section 32.30. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Mayor and Council Members**Council Member Spears**

Council Member Spears stated the density argument is not a proven concept and he is of the opinion that this push for density is a wish for a self-fulfilling concept.

Council Member Freyberg

Council Member Freyberg stated he appreciated the City Administrator's comments on transparency.

Mayor

The Mayor reported the Pedal Past Poverty event has been scheduled for Saturday, March 1, 2014 from 9 a.m. to 2 p.m. at the Mankato YMCA. He invited all Council Members and City staff to participate in this event.

The Mayor read a proclamation naming February 7-14, 2014 as Congenital Heart Defect Awareness Week in the City of North Mankato.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting was adjourned at 8:20 p.m.

Mayor

City Clerk