

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 19, 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 Spears and Steiner, City Administrator Harrenstein, Attorney Kennedy, City Clerk Gehrke, Planner Fischer and Public Works Director Swanson. Absent: Council Members Norland and Freyberg, Finance Director Thorne.

Approval of Agenda

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

Approval of Minutes

Council Member Steiner moved, seconded by Council Member Spears, to approve the minutes of the Council meeting of May 5, 2014. Vote on the motion: Steiner and Dehen, aye; Spears, abstained no nays. Motion carried.

Public Hearing, 7 p.m. – Consider Tax Abatement

The Mayor opened the public hearing to property tax abatement to finance public infrastructure improvements, including certain public street and utility improvements in connection with Project No. 13-02AC Roe Crest-Belgrade Ravine Improvements. A copy of the Notice of Public Hearing and Affidavit of Publication were included in the packet. With no one appearing, the Mayor closed this portion of the meeting.

Consent Agenda

Council Member Steiner moved, seconded by Council Member Spears, to approve the Consent Agenda as presented:

- A. Bills and Appropriations.
- B. Res. No. 26-14 Approving Donations/Contributions/Grants.
- C. Res. No. 27-14 Declaring Costs to be Assessed for Municipal Charges – 1400 Lake Street.
- D. Res. No. 28-14 Declaring Costs to be Assessed for Municipal Charges – 524 Lyndale Street.
- E. Parade Permit for North Mankato Fun Days Kiddie Parade, Wheeler Park, Friday, July 11, 2014 from 6:15 p.m. to 7:30 p.m.
- F. Parade Permit for North Mankato Fun Days, Saturday, July 12, 2014 from 11 a.m. to 2 p.m.
- G. Temporary 3.2 Permit for North Mankato Civic & Commerce Association, Fun Days, July 9-13, 2014, Wheeler Park.
- H. Res. No. 29-14 Approving Mankato Area Youth Baseball Association, Inc. Gambling License.

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

Public Comments

Barb Church, 102 E. Wheeler Avenue

Barb Church, 102 E. Wheeler Avenue appeared before the Council and expressed her concern about the process for rezoning 1610 LorRay Drive from a TUD to R-3, Limited Multiple Dwelling. She believes this rezoning should not occur until completion of the Comprehensive Plan and/or until the property owner requests rezoning of the property.

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and asked for clarification of the property tax abatement.

Tom Hagen, 927 Lake Street

Tom Hagen, 927 Lake Street, appeared before the Council and requested 1610 LorRay Drive not be rezoned until completion of the Comprehensive Plan.

Vonda Herding, Realtor for 1610 LorRay Drive

Vonda Herding, realtor for the property known as 1610 LorRay Drive, appeared before the Council and stated the owner wants the zoning of the property to be left as a Transitional Unzoned District (TUD).

Rhonda Geving, 506 Ivanhoe Court

Rhonda Geving, 506 Ivanhoe Court, appeared before the Council and stated that as a neighbor of 1610 LorRay Drive she would like to see the property zoned so that multiple children will not be living in this area because of activities in the ravine and the amount of vehicle and foot traffic in this area.

Business Items

Establish Portion of Lookout Drive as a Municipal State Aid Street

City Engineer Sarff reported a portion of Lookout Drive located north of the T.H. 14 Overpass Bridge is currently designated as County State Aid Highway 13 (CSAH13). The segment of Lookout Drive from the centerline of the south entrance/exit ramps to the Lee Boulevard intersection is currently designated as a Municipal State Aid Street (MSAS). The segment of Lookout Drive from the centerline of the overpass bridge to the centerline of the south entrance/exit ramps is currently not designated as CSAH or MSAS. He reported that in order to utilize the Federal funds the City received from the improvement of the segment of Lookout Drive from Commerce Drive/ Northridge Drive to Howard Drive, the entire segment needs to be designated as MSAS. At their May 13, 2014 Board meeting, the Nicollet County Board adopted a resolution revoking the portion of Lookout Drive between the centerline of the overpass bridge to Howard Drive from the county state aid system. Engineer Sarff presented two resolutions which are required by the MnDOT State Aid division. The first resolution concurs with the revocation of the CSAH portion of CSAH 13/Lookout Drive and the second resolution designated the revoked CSAH portion and the previously undesignated portion of Lookout Drive as new Municipal State Aid Streets. Engineer Sarff reported that 20 percent of the City's total mileage may be designated as Municipal State Aid Street and after this designation only 5/100's of a mile is left to be designated.

Res. No. 30-14 Concurring with Nicollet County Resolution Revoking a Portion of County State Aid Highway No. 13

Council Member Steiner moved, seconded by Council Member Spears, to adopt Resolution No. 30-14 Concurring with Nicollet County Resolution Revoking a Portion of County State Aid Highway No. 13. Vote on the Resolution: Spears, Steiner and Dehen, aye; no nays. Motion carried.

Res. No. 31-14 Establishing Municipal State Aid Street

Council Member Spears moved, seconded by Council Member Steiner, to adopt Resolution No. 31-14 Establishing Municipal State Aid Street. Vote on the Resolution: Spears, Steiner and Dehen, aye; no nays. Motion carried.

Res. No. 32-14 Dedicating that Part of Lot 1, Block 1, Nilson's Addition, Government Lot 1 of Section 11 and Government Lot 4 of Section 12, all in Township 108 North, Range 27 West, Nicollet County, Minnesota

City Attorney Kennedy reported that as part of Project No. 13-02, specifically the Old Belgrade Hill improvements, a portion of Lot 1, Block 1, Nilson's Addition, Government Lot 1 of Section 11 and Government Lot 4 of Section 12 all in Township 108 North, Range 27 West, it is necessary to dedicate to the public the width of the actual use of the street. After research done by Bolton & Menk, it was determined the street was never a dedicated street. However, the property has been used and maintained by the City of North Mankato for more than six years continuously as a public street and meets the Minnesota Statute requirement that there is clear and convincing evidence it is a public street and should be dedicated as such. Council Member Steiner moved, seconded by Council Member Spears, to adopt Resolution No. 32-14 Dedicating that Part of Lot 1, Block 1, Nilson's Addition, Government Lot 1 of Section 11 and Government Lot 4 of Section 12, all in Township 108 North, Range 27 West, Nicollet County, Minnesota. Vote on the Resolution: Spears, Steiner and Dehen, aye; no nays. Motion carried.

Z-2-14, Rezoning of Property Addressed as 1610 LorRay Drive from Transitional Unzoned District (TUD) to R-3, Limited Multiple Dwelling

Administrator Harrenstein reported that in March 2014 the Council reviewed the Land Use section as part of the Comprehensive Planning process. A discussion was held regarding the property known as 1610 LorRay Drive. He stated that while the consultants, WSB, believed the future zoning of this property should be R-4, Multiple Family Dwelling, the City Council believe it should be zoned for low/medium density residential or institutional. The Administrator reported that staff interpreted the property should be rezoned from Transitional Unzoned District to R-3, Limited Multiple Dwelling. Planner Fischer reported that given the City Council discussion of the Land Use Map agreeing that this property should be low/medium density or institutional, this item was brought before the Planning Commission for consideration. At their meeting of May 8, 2014, the Planning Commission recommended denial of Z-2-14 and for the property to remain in a TUD until a specific use of the property is known. The City Attorney noted there are two arguments for this action: 1) the Comprehensive Plan is not completed, and 2) the property has not been sold. After some discussion, the Council took no action on Z-2-14.

Accept Petition for Vacation of Street Right-of-Way and Set Public Hearing for 7 p.m. on Monday, June 16, 2014

The City Planner reported that as part of the platting process for the Highway 14/CSAH 41 interchange, a large portion of right-of-way was obtained. Since the construction project is now complete, there are areas of right-of-way that can potentially be vacated and sold to adjacent property owners. He reported that one of those areas is part of Howard Drive West. It is proposed that this area be vacated and then become part of the adjacent vacant lot currently owned by Cemstone Products. It will be necessary to replat the property in the future to accommodate the vacated right-of-way. The Planner reported that as part of the right-of-way vacation process, it is necessary to set and hold a public hearing. **Council Member Steiner moved, seconded by Council Member Spears, to Accept the Petition for Vacation of Street Right-of-Way and Set a Public Hearing for 7 p.m. on Monday, June 16, 2014. Vote on the motion: Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Res. No. 33-14 Approving Property Tax Abatement Related to Public Infrastructure Improvements in the City of North Mankato

Tammy Omdal, Northland Strategies, appeared before the Council and spoke of the proposed property tax abatement for Project No. 13-02AC. She reported the total amount of taxes proposed to be abated by the City on the parcels identified within the abatement area is estimated to be not more than \$1,200,000 collected over a 15-year term, or approximately \$80,000 per year. She explained that the annual abatement levy is spread over the City's entire general tax base the same as the general fund levy and that property within the abatement area will pay the same amount of City taxes as property outside of the abatement area. Administrator Harrenstein reported that with debt rolling off and the increased tax base, there should be no discernable change in taxes for property owners due to the abatement. **Council Member Steiner moved, seconded by Council Member Spears, to adopt Resolution No. 33-14 Approving Property Tax Abatement Related to Public Infrastructure Improvements in the City of North Mankato. Vote on the Resolution: Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Mayor and Council Comments**Mayor**

The Mayor reported USAgain presented the City of North Mankato with a Certificate of Sustainability documenting the shared success in greening our community.

The Mayor reported the Commander-in-Chief of the Veterans of Foreign Wars of the United States, William Thien, would be visiting Mankato on Tuesday, May 27, 2014. The Mayor will be meeting with him at the VFW Post 9713 from 12:15 p.m. to 1:15 p.m.

The Mayor welcomed Brooke Stenzel, owner of White Orchid Women's Fashion Boutique, as the City's newest business located at 237 Belgrade Avenue.

Public Comments**Phil Henry, 1300 Noretta Drive**

Phil Henry, 1300 Noretta Drive, appeared before the Council and stated he agreed with Project No. 13-02AC and asked for information regarding the affect the tax abatement would have on a \$150,000 home.

There being no further business, on a motion by Council Member Steiner, seconded by Council Member Spears, the meeting was adjourned at 7:44 p.m.

Mayor

City Clerk