

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 5, 2015. 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, Steiner, Norland and Freyberg, City Administrator Harrenstein, Finance Director Thorne, Attorney Kennedy, City Clerk Van Genderen, Planner Fischer and Public Works Director Swanson.

Judge Bradley Walker was present to administer the Oath of Office to Mayor Mark Dehen, Council Member Robert Freyberg and Council Member Diane Norland.

Approval of Agenda

Council Member Freyberg requested item 8G, the consideration of approving Request for Proposals (RFP) for Land Development in Kodiak Drive and Fairbanks Drive, be removed from the consent agenda for discussion. **Council Member Steiner moved, seconded by Council Member Norland, to approve the agenda with item 8G removed from the consent agenda for discussion. Vote on the motion: Steiner, Norland, Freyberg, Spears 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 and the Council meeting of December 15, 2014. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.

Public Hearing, 7 p.m. Revision of Code of Ordinances.

Planner Fischer reported staff reviewed the code and are presenting changes for adoption to the Council. The changes included the correction of typos, the inclusion of recently adopted ordinances and changes to help enforce code. The Mayor opened the hearing to the public to consider the Revision of Code of Ordinances. Copies of the Notice of Public Hearing and Affidavit of Public Hearing were included in the packet. There being no one appearing before the Council, the Mayor closed this portion of the meeting.

Consent Agenda

Council Member Steiner moved, seconded by Council Member Norland, to approve the Consent Agenda with Item G removed for discussion:

- A. Bills and Appropriations.
- B. Res. No. 01-15 Approving Donations/Contributions/Grants.
- C. Res. No. 02-15 Designating Official Newspaper.
- D. Res. No. 03-15 Designating Depositories for City.
- E. Res. No. 04-15 Setting Mileage Rate for 2015.
- F. Res. No. 05-15 Waiving Waiting Period for exemption from Lawful Gambling License for LEEP.

Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried. Council Member Spears noted that the Charitable Gambling Contributions Distributions included \$3,000 to Mankato ISD 77 and requested an accounting of all contributions paid to them. City Clerk Gehrke reported the following were included in the distribution: North Mankato Elementary P.T., Mankato Area Lancers, School District 77 Student Activities, Dakota Meadows Middle School Public Achievement Program, and the High School Graduation Celebration.

Discussion of Item 8G Consider Approving Request for Proposals (RFP) for Land Development Kodiak Drive and Fairbanks Drive. Council Member Freyberg requested information on the legality of selling the land for a reduced price. Freyberg indicated removing the assessments may price the land below a fair market price. Attorney Kennedy responded that when a city gets involved there is always the possible argument that there is an unfair advantage, but there is no legal issue with removing assessments to reduce the price of the land. Administrator Harrenstein reported that the City would not accept a bid that was not fair. **Council Member Freyberg moved, seconded by Council Member Norland, to Proceed with the Release of the Request for Proposals (RFP) for Land Development Kodiak Drive and Fairbanks Drive. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.**

Public Comments

Barb Church, 102 East Wheeler appeared before the Council and indicated she would like clarification on Charitable Gambling Distribution. City Clerk Gehrke responded that each year the Council approves a list for possible donation. Ten percent of charitable gambling receipts are given to the City. At the end of the year donations are determined based upon those receipts. Church requested more information be publicized concerning the garbage and recycling valet service. Public Works Director Swanson reported the \$9.00 a month service is provided by calling City Hall and requesting the service. He also stated the information would be included in the weekly e-newsletter. Church indicated the Sales Tax Extension should require tax payer approval. Mayor Dehen responded legislation would require a referendum. Church noted the Comprehensive Plan should require more public feedback before it is adopted by the City Council. Mayor Dehen reported there would be several meetings in January and February 2015 where public comment would be welcome.

Business Items

Adopt Ordinance No. 63, Fourth Series, Amending the Code of Ordinances.

Council Member Freyberg noted City Code 151.07 Action on Application for Rental License did not contain information concerning insurance. Attorney Kennedy stated researching how other cities wrote their code concerning insurance would be an appropriate way to address the issue. Freyberg noted City Code 156.035 (T) reduced the minimum distance between privately owned primary or accessory building from 10 to 5 feet. Planner Fisher stated it was difficult for people to construct utility sheds with a minimum distance of 10 feet. Council Member Freyberg stated City Code 156.054 (C) (13) (b) permitting construction hours from 7:00 a.m. to 10:00 p.m. was disruptive. Planner Fischer stated the purpose was to unify language in the code. A friendly amendment was implemented and the hours were set from 7:00 a.m. to 9:00 p.m. Council Member Spears stated City Code 156.054 (C) (9) (f) requiring fences adjacent to public alleys maintain a 5' setback from the property line was preventing property owners from utilizing their property. Planner Fischer stated the code change allowed room for garbage pick-up and snowplows in the alley without damaging fences. A friendly amendment was implemented and the change was struck from the code for further consideration. Friendly amendments were also implemented to correct spelling errors. **Council Member Steiner moved, seconded by Council Member Norland, to Adopt Ordinance No. 63, Fourth Series, Amending the Code of Ordinances with the friendly amendments. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.**

Consider Approving Request Extending Deadline for Rezoning 1610 LorRay Drive from a Transitional Unzoned District (TUD) to an R-3, Limited Multiple Dwelling District.

Administrator Harrenstein stated the land owner for 1610 LorRay Drive, Audrey Tschohl, was formally requesting an additional 60 day extension on the request to rezone 1610 LorRay Drive from a

Transitional Unzoned District (TUD) to an R-3, Limited Multiple Dwelling District. Tschohl stated in her letter that it was taking longer to formalize the development proposal required by the City. Attorney Kennedy indicated it would be advisable to grant the owner's request. **Council Member Steiner moved, seconded by Council Member Norland, to Approve the Request Extending the Deadline for rezoning 1610 LorRay Drive. Vote on the motion: Steiner, Norland, Spears and Dehen aye; Freyberg nay. Motion carried.**

Res. No. 06-15 Adopting Franchise Fees Pursuant to Electric Franchises

Administrator Harrenstein reported two resolutions were presented in the packet. The first was the original resolution presented at the Council Workshop on December 15, 2014 that did not include an increase in fees to Public Street Lighting, Municipal Pumping Non-Demand or Municipal Pumping Demand. The second includes the same percentage increase for these customer classes as the Residential Customer Class. Council Member Freyberg stated the City should adopt the second resolution because the City needs a real cost of doing business to help provide more accurate accounting. Council Member Spears indicated the funds were dedicated to maintenance of right-away. Administrator Harrenstein specified all funds from the Electric Franchise Fees are used for the maintenance of right-away. **Council Member Freyberg moved to adopt the second resolution presented, seconded by Council Member Norland, to adopt Res. No. 06-15 Adopting Franchise Fees Pursuant to Electric Franchises. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.**

Res. No. 7-15 Requesting Extension of Local Sales and Use Tax

Administrator Harrenstein reported the Local Sales and Use Tax was discussed during the Council Workshop earlier in the evening. Council Member Spears stated he would not vote for the Sales and Use Tax because it has the potential to negatively impact citizens, reduces competitiveness, and sets up continued maintenance for completed projects. **Council Member Norland moved, seconded by Council Member Freyberg, to adopt Res. No. 7-15 Requesting Extension of Local Sales and Use Tax. Vote on the motion: Steiner, Norland, Freyberg and Dehen aye; Spears nay. Motion carried.**

City Administrator and Staff Comments

Administrator Harrenstein presented City Clerk Nancy Gehrke with a plaque honoring her for the 27 years of service to the City of North Mankato. He read a letter of appreciation for her hard work, dedication, leadership and selfless public service. Harrenstein stated the City would be placing a permanent bench in Benson Park near Ladybug Lake and planting a tree near City Hall in her honor.

Mayor and Council Comments

Mayor Dehen

Mayor Dehen read into record a commendation for Nancy Gehrke:

COMMENDATION

WHEREAS, Nancy Gehrke began serving the City of North Mankato as Administrative Secretary in 1988, became Deputy City Clerk in 1996 and City Clerk in 1999, upon retiring she will have served the City of North Mankato for 27 years; and

WHEREAS, Nancy earned the title of Certified Municipal Clerk from the International Institute of Municipal Clerks, Inc. in 2001 and Certified Municipal Clerk of Minnesota from the Municipal Clerks and Finance Officers Association of Minnesota in 2002; and

WHEREAS, Nancy has assisted with or ran the primary and general elections since 1988, and has taught classes for the Minnesota Municipal Clerks Institute; and

WHEREAS, these years of service were highlighted by her service in 2003 and 2004 as Vice President of Region V of the Municipal Clerks and Finance Officers Association (MCFOA), in 2005 she was Chair for the MCFOA Bylaws Committee, she was elected Treasurer of the MCFOA in 2006 and Secretary in 2007, in 2008 Nancy served as Vice President of the MCFOA and Chair of the Planning Committee and in 2009 she was the President of the MCFOA; and

WHEREAS, she is an asset to the community of North Mankato and a strong leader for her fellow employees;

NOW, THEREFORE, I, Mark Dehen, Mayor of the City of North Mankato, Minnesota, do hereby commend Nancy Gehrke for her outstanding work and dedication to the community and express my appreciation for her skills and work as City Clerk.

Dated this 5th day of January 2015.

Council Member Norland

Council Member Norland thanked Nancy for her years of service to the City of North Mankato.

Council Member Spears

Council Member Spears requested a report on progress to create a facility to walk pets in lower North Mankato. Administrator Harrenstein reported no action had yet been taken.

Council Member Steiner

Council Member Steiner thanked Nancy for her years of service to the City of North Mankato.

Council Member Freyberg

Council Member Freyberg thanked Nancy for her years of service to the City of North Mankato.

Mayor Dehen

Mayor Dehen read a letter presenting a Certificate and Award of Financial Reporting Achievement from the Government Finance Officers Association to the City of North Mankato and Finance Director Clara Thorne.

Mayor Dehen read a letter from the Minnesota Public Facilities Authority awarding the City of North Mankato a Drinking Water Revolving Fund 20-year loan of \$1,631,793 at an interest rate of 1.0% to construct Well #9, the well house, and connection to the existing drinking water system.

Mayor Dehen read a letter from the Greater Mankato Bike and Walk Advocates thanking the City for the construction of the Old Belgrade Hill service road/trail, and for Mayor Dehen and the City's continued support establishing a bike friendly community.

Mayor Dehen reported Coffee with the Council would be held Saturday, January 10th at 10:00 a.m. at the Garden of Eat'n located at 1720 Commerce Drive.

Approving Appointments of Boards and Commissions.

Mayor Dehen reported appointments to Boards and Commissions was included in the packet.

Res. No. 8-15 Approving City Council Committee Assignments

Mayor Dehen presented Res. No. 8-15 Approving City Council Committee Assignments for 2015 as follows:

Mayor Mark Dehen	Personnel Committee Nicollet County/City of North Mankato Liaison Committee Intergovernmental Cooperation (Advisory Committee) Coalition of Greater Minnesota Cities Cities/Colleges/Universities Advisory Council North Mankato Fire Relief Association Highway 14 Partnership North Mankato Port Authority Commission North Mankato Bicycle Commission
Council Member Steiner	Intergovernmental Youth Assets Envision 2020 North Mankato Port Authority Commission North Mankato Taylor Library Board
Council Member Norland	Region Nine Development Commission Envision 2020 Mankato Area Community Services Council North Mankato Parks and Green Spaces Committee North Mankato Port Authority Commission
Council Member Freyberg	All Seasons Arena Board Intergovernmental Cooperation (Advisory Committee) Nicollet County Recycling Task Force North Mankato Port Authority Commission Passenger Rail Group Metropolitan Planning Organization (MPO)
Council Member Spears	Region Nine Development Commission Personnel Committee Nicollet County/City of North Mankato Liaison Committee Community Center Task Force North Mankato Planning Commission North Mankato Port Authority Commission Traffic & Safety Committee

Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 8-15 Approving City Council Committee Assignments. Vote on the Resolution: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.

Public Comments

None.

There being no further business, on a motion by Council Member Steiner, seconded by Council Member Norland, the meeting adjourned at 8:05 p.m.

Mayor

City Clerk