

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 July 6, 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 roll call: Mayor Dehen, Council Members Steiner, Norland, Freyberg and Spears, City Administrator Harrenstein, Attorney Kennedy, City Clerk Van Genderen, City Planner Fischer and Public Works Director Swanson. Absent: Finance Director Thorne.

### **Approval of Agenda**

Council Member Spears requested Consent Agenda Items 8C, 8F and 8I be removed from the Consent Agenda for separate consideration. **Council Member Norland moved, seconded by Council Member Steiner, to approve the agenda with Consent Agenda Items 8C, 8F and 8I removed for separate consideration. Vote on the motion: Steiner, Norland, Freyberg, Spears 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 June 15, 2015. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.**

### **Public Hearing, 7 p.m., Amend City Code, Title XI, Business Regulations, Chapter 111, Alcoholic Beverages.**

The Mayor opened the public hearing to consider amendments to the City Code, Title XI, Business Regulations, Chapter 111, Alcoholic Beverages, Section 111.205 Hours of Sale. A copy of the Notice of Public Hearing and Affidavit of Publication were included in the packet. Barb Church, 102 Wheeler Avenue, appeared before Council and indicated that due to the increasing diversity in the community all references to religious holidays should be removed from City Code. With no one else appearing before the Council, the Mayor closed this portion of the meeting.

### **Agenda Item 8C Set Public Hearing for 7 pm on Monday, August 17, 2015, to Consider Adoption of Ordinance of Annexation of Land, Mayo Addition.**

Council Member Spears stated the Public Hearing should not be set until Council is informed if the Mayo Clinic Health System-Mankato would be paying property taxes on the land. Council Member Spears stated as a non-profit Mayo Clinic Health System may request property tax exemption. **Council Member Spears moved, seconded by Council Member Norland to direct staff to inquire Mayo Clinic Health System-Mankato if they will be seeking tax exemption. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.** Attorney Kennedy indicated the Public Hearing could still be set for 7 pm on Monday, August 17, 2015 as staff would have ample time to discuss tax exempt status with Mayo. **Council Member Norland moved, seconded by Council Member Steiner to Set Public Hearing for 7 pm on Monday, August 17, 2015 to Consider Adoption of Ordinance of Annexation of Land, Mayo Addition. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.**

### **Agenda Item 8F Set Public Hearing for 7 pm on Monday, July 20, 2015 on Improvement Project No. 15-01ABCDEF Carlson Drive Extension.**

Council Member Spears stated the Public Hearing on the improvements for the Carlson Drive Extension should be the same night or after the hearing for the Annexation of the Mayo Addition as this would service the Mayo parcel and the project may not move forward. City Engineer Dan Sarff indicated the Council already approved the setting of the improvement hearing on April 20, 2015, but

delayed the project to ensure the project would be moving forward. City Engineer Sarff indicated that setting the improvement hearing date did not commit the City to the project rather it is just a step in the 429 process that allows the City to assess part of the cost of the project. He indicated that Mayo was proceeding with their project and he recommended continuing with the Public Hearing. Council member Spears stated Mayo may be proceeding but the City Council has not approved the Annexation. Administrator Harrenstein stated the Public Hearing would only commit to engineering and setting a bid date, not the project. Council Member Spears stated costs would still be incurred and requested clarification on the objection to delaying the Public Hearing. City Engineer Sarff stated that if the City wants to secure financing and begin the project this year the hearing needs to occur on July 20, 2015.

**Council Member Steiner moved, seconded by Council Member Norland to Set the Public Hearing for 7 pm on Monday, July 20, 2015 on Improvement Project No. 15-01 ABCDEF Carlson Drive Extension. Vote on the motion: Steiner, Norland, Freyberg and Dehen aye; Spears nay. Motion carried.**

**Agenda Item 8I Local Government Resolution Business Development Infrastructure Application.**

Council Member Spears indicated it was premature to begin a grant application when the project had not been approved by City Council, but he understood that grant application processes can be long. Council Member Spears requested clarification on the wording in the resolution that says “the City of North Mankato will repay the grant if milestones are not realized by the completion date identified in the application.” Spears indicated he did not know what milestones it referenced.

Administrator Harrenstein stated if the City were awarded the grant and the project was not completed the City would repay the grant money to the State of Minnesota. Administrator Harrenstein indicated the Carlson Drive West project was budgeted into the CIP and if the City is not awarded the grant it has the funds to complete the project. **Council Member Steiner moved, seconded by Council Member Norland to adopt the Local Government Resolution Business Development Infrastructure Application. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen aye; no nays. Motion carried.**

**Consent Agenda**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the amended Consent Agenda which included:**

- A. Bills and Appropriations.
- B. Res. No. 50-15 Approving Donations/Contributions/Grants.
- D. Precocious Pyrotechnics Fireworks Show, Sunday, July 12, 2015.
- E. Res. No. 51-15 Adopting North Mankato Code Enforcement Policy.
- G. Set Public Hearing for 7 p.m. on Monday, July 20, 2015 to consider Amendment to City Code, Chapter 156, R1-S, One-Family Dwelling-Small Lot District.
- H. Audio and Large Group Permit for Buffalo Wild Wings, Spring Lake Park Shelter #1, Wednesday, July 22, 2015 from 5:00 pm to 10:00 pm.

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

**Public Comments**

Ann Judkins, 614 Range Street, appeared before the Council and indicated she appreciated the property located at 1610 LorRay Drive, known as the Tschohl property, and would like to see the City facilitate the acquisition of the property for development into a City park.

Andrew Judkins, 614 Range Street, appeared before the Council and stated the Tschohl property would make a great park.

Mayor Dehen indicated he would like to read into record a commendation for Bruce Royer on his 28 years of service to the City of North Mankato.

*WHEREAS, Bruce Royer began serving the City of North Mankato as a Building and Plumbing Inspector in 1987, he became an Assistant Building Inspector in 1993 and in 1996 he became the Building Official for the City of North Mankato and upon retiring he will have served the City of North Mankato for 28 years; and*

*WHEREAS, Bruce earned the title Building Official Class I in 1986 and Building Official Class II in 1990; and*

*WHEREAS, Bruce has continued his education remaining current on all building codes and procedures; and*

*WHEREAS, he is an asset to the community of North Mankato and has rigorously worked to ensure the safety of its residents;*

*NOW, THEREFORE, I, Mark Dehen, Mayor of the City of North Mankato, Minnesota, do hereby commend Bruce Royer for his outstanding work and dedication to the community and express my appreciation for his skills and work as Building Official.*

Administrator Harrenstein presented Bruce Royer with a plaque in recognition and appreciation of dedicated and devoted service to North Mankato, actions of integrity, and a career of protecting citizens from 1987 through 2015.

Bruce Royer appeared before Council and thanked the City for the opportunity to work in a profession he loved for 28 years.

### **Business Items**

#### **Consider Adopting Ordinance No. 68 Amending North Mankato City Code, Title XI, Business Regulations, Chapter 111, Alcoholic Beverages, Hours of Sale.**

Administrator Harrenstein indicated that Ordinance No. 68 would comply with recently adopted State Statute. **Council Member Steiner moved, seconded by Council Member Spears to Adopt Ordinance No. 68 Amending North Mankato City Code, Title XI, Business Regulations, Chapter 111, Alcoholic Beverages, Hours of Sale.** Attorney Kennedy stated that during the Public Hearing a citizen expressed the desire to remove all religious references from City Code. Kennedy indicated the reference of Sunday is religious and holidays such as Christmas are legal holidays and until State Legislature changes the City should follow the Statutes. Council Member Spears requested information on whether the City could have more liberal policies than the State. Attorney Kennedy responded that with the liquor laws the City cannot have more liberal policies, but the City could have more conservative laws. Council Member Spears responded that there are Federal, State, and Local laws and people are buried under laws. He indicated that this may be an appropriate time to decrease the number of laws by striking this Ordinance from City Code. Spears withdrew his second to adopt Ordinance No. 68. **Council Member Spears moved to remove City Code 111.205 Alcoholic Beverages, Hours of Sale.** No second was made. **Council Member Freyberg moved, seconded by**

**Council Member Steiner to Adopt Ordinance No. 68 Amending North Mankato City Code, Title XI, Business Regulations, Chapter 111, Alcoholic Beverages, Hours of Sale. Vote on the motion: Steiner, Norland, Freyberg and Dehen aye; Spears nay. Motion carried.**

**Receive Economic Impact Report of Caswell Park.**

City Intern Courtney Kietzer appeared before Council and reported on the Economic Impact of Caswell Park. Intern Kietzer indicated the results of the study showed a direct economic impact of \$3.5 million annually. Kietzer stated each year Caswell Parks, both softball and soccer, hosts an average of 19 tournaments, 490 teams, with 31,561 visitors. City Intern Kietzer reviewed the methodology for calculating total visitors and spending by those visitors. She stated the economic impact of Caswell Park was \$10,639,024 in the last three years with 58 tournaments, 1,472 teams and 95,611 visitors. Intern Kietzer indicated potential options to increase the economic impact included; National girls softball tournament over 3-5 days could bring in 1.5 million, hosting regional or national tournaments for ASA or NAFA, increase the size of local tournaments, add more soccer tournaments, or sporting opportunities that don't destroy the opportunity as Caswell North and consider investment opportunities for indoor recreation. Council Member Norland stated the study included some great information. Council Member Spears stated the numbers were estimates and best guesses based on studies. Intern Kietzer indicated the study used conservative numbers. Mayor Dehen requested Caswell Park Director Phil Tostenson to come to the podium and answer a few questions. Mayor Dehen requested information on the weekend tournament held July 3-5, 2015. Director Tostenson indicated there were 35 teams from all over the United States and Canada. Administrator Harrenstein indicated the numbers used in the study were conservative and the impact could increase as the City anticipates more soccer tournaments in the future. Council Member Spears stated he would hate to see the study as part of the official City record. Administrator Harrenstein indicated staff was not requesting the study be made an official part of the record but if Council would like to include it a motion could be made. **Council Member Norland moved, seconded by Council Member Freyberg to accept the Economic Impact Report of Caswell Park into the official City record.** Council Member Spears stated the City pays to bring tournaments into town and the tournaments benefit only retailers not the retired person in North Mankato. Council Member Steiner indicated that is what makes a City work. Council Member Norland indicated families with kids or grandkids benefit and it improves the quality of life of its citizens. Council Member Freyberg stated the City benefits from the Sales Tax. Mayor Dehen indicated hotels and other businesses benefit and allows them to continue operation. **Vote on the motion: Steiner, Norland, Freyberg and Dehen aye; Spears nay. Motion carried.**

**City Administrator and Staff Comments**

Public Works Director Swanson stated City Staff has been working hard on the parking lots located at 231 and 233 Wheeler Avenue.

Public Works Director Swanson indicated preparations were just about complete for the Fun Days 50 year celebration dedicated to those who fought the 'Flood of 65'.

**Mayor and Council Comments**

Mayor Dehen read a thank you note from Lisa Lissimore of the Minnesota State High School League thanking the City for a great 2015 State Softball Tournament.

Mayor Dehen stated the Coalition of Greater Minnesota Cities thanked the City for the proposal to host the 2016 summer conference but the conference will be held in Austin, MN. The Coalition of Greater Minnesota Cities encouraged North Mankato to apply for the 2018 conference.

Mayor Dehen indicated he received a copy of Fiscal Year 2016 Budget for the Region Nine Development Commission. A copy would be on file for review at City Hall.

Mayor Dehen reported this year's North Mankato Fun Days 25<sup>th</sup> Annual Celebrity Horseshoe Tournament will be held July 10, 2015 at 7 pm. Mayor Mark Dehen, Building Official Dave Knudson, City Administrator John Harrenstein and Fire Chief Tim Pohlman from North Mankato will face off against Mankato Mayor Eric Anderson, City Council Member Jason Mattick, City Council Member Christopher Frederick, and City Council Member Trudy Kunkel from Mankato.

**Public Comments**

None.

There being no further business, on a motion by Council Member Steiner, seconded by Council Member Norland, the meeting adjourned at 7:55 p.m.

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Mayor

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City Clerk