

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 March 21, 2016. Acting Mayor Steiner 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: Council Members Norland, Freyberg, Spears and Steiner, City Administrator Harrenstein, Attorney Kennedy, City Planner Fischer, Public Works Director Swanson and City Clerk Van Genderen. Absent: Finance Director Thorne. Mayor Dehen arrived at 7:40 p.m.

### **Approval of Agenda**

Council Member Spears requested discussion on Item #9I Resolution Authorizing City Attorney to Subscribe to Minnesota Government Access with Minnesota Court Data Services. Council Member Spears requested clarification on the cost for the subscription. Attorney Kennedy indicated he did not have an exact price but the Court system was mandating that all records be accessed online and in order for the Attorneys to perform their duties they must have access to the online database. Attorney Kennedy indicated he would provide the price for the subscription. **Council Member Spears, seconded by Council Member Norland to table Item #9I for consideration at a later date. Vote on the motion: Norland and Spears aye; Freyberg and Steiner nay. Motion failed. Council Member Freyberg moved, seconded by Council Member Norland, to approve the agenda as presented with Item #9I included in the Consent Agenda. Vote on the motion: Steiner, Norland, Freyberg and Spears aye; no nays. Motion carried.**

### **Approval of Minutes**

**Council Member Norland moved, seconded by Council Member Freyberg to approve the minutes of the Council meeting of March 7, 2016. Vote on the motion: Norland, Freyberg, Spears and Steiner aye; no nays. Motion carried.**

### **Presentation of Award**

Administrator Harrenstein and Public Works Director Swanson presented Dale Seath, Shop Foreman, with a plaque recognizing his 30 years of service to the City of North Mankato.

### **Public Hearing, 7 pm-Wellhead Protection Plan Part I.**

City Engineer Herman Dharmarajah appeared before Council and reported on Part I of the Wellhead Protection plan which included information on the delineation of the wellhead protection area, the drinking water supply management area boundary and the well and drinking water supply management area and vulnerability assessment. City Engineer Dharmarajah indicated the chance of well contamination was low due to the depth of the wells. He stated the City has 6 high capacity wells and there are a total of 23 wells within the management area. City Engineer Dharmarajah reported the greatest risk of contamination came from wells that were no longer maintained or in use. Council Member Spears requested clarification on how contamination could occur. Karen Voz from the Minnesota Department of Health reported that as long as wells are maintained there is little chance of contamination. Contamination could occur when wells were no longer maintained as they become conduits for contamination. Council Member Spears requested clarification on the source of the water. Ms. Voz indicated the Mount Simon Aquifer was the source of the City's water and there was little knowledge of how the aquifer was recharged, she stated the DNR has observation wells and would be able to provide more information on the supply. Ms. Voz stated the Department of Health was concerned with quality not quantity. Acting Mayor Steiner opened the meeting to the public with no one else appearing the hearing was closed.

**Public Hearing, 7 pm-Utility Easements Vacation between Lots 3 and 4 of Block 3 of the Landing North Phase 1.**

City Planner Fischer reported the applicants recently purchased Lots 3 and 4, Block 3, The Landing North Phase 1. The applicants plan to construct a new single-family home, it is the intent of the applicant's to replat these two lots by combining them together as one lot by eliminating the internal lot line. As part of the vacation process utility companies were informed. One local company has equipment in the area and the company and the applicant are working together to remove the box from the requested vacation area. With no one else appearing before Council the hearing was closed.

**Consent Agenda**

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

- A. Bills and Appropriations.
- B. Approved Parade Permit for South Central College Student's Walk to Support Veterans around Spring Lake on April 9, 2016 from 8:30 a.m. to 11:30 a.m.
- C. Approved Large Group and Audio Permit for South Central College Student's Walk to Support Veterans, Spring Lake Park, Shelter #3 on April 9, 2016 from 8:30 a.m. to 11:30 a.m.
- D. Approved Large Group and Audio Permit for Abel Lopez, First Communion, Wheeler Park on May 1, 2016 from 8:30 a.m. to 10:00 p.m.
- E. Approved Parade Permit for Rip Roar Events, Kids Triathlon on June 25, 2016 from 8 a.m. to 12 noon.
- F. Approved Large Group and Audio Permit for the Rip Roar Events, Kids Triathlon at Spring Lake Park, Shelters #2 and #3 on June 25, 2016 from 8 a.m. to 12 noon.
- G. Approved Parade Permit for Final Stretch, North Mankato Triathlon on August 14, 2016 from 8 a.m. to 1:30 p.m.
- H. Approved Parade Permit for the North Star Bike Fest, North Star Grand Prix on June 18, 2016 from 12 noon to 5:00 p.m.
- I. Res. No. 29-16 Authorizing City Attorney to Subscribe to Minnesota Government Access with Minnesota Court Data Services.
- J. Consider Setting Public Hearing for 7 p.m. on April 4, 2016 to Consider the 2016 HUD Action Plan.

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

**Public Comments**

Lucy Lowry, Library Director appeared before Council and announced the 5<sup>th</sup> Annual Community Read as **The Boys in the Boat** by Daniel James Brown. Library Director Lowry indicated 500 free copies of the book would be available at participating businesses beginning on March 22, 2016 and events related to the book would occur in April.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated the Belgrade Avenue Planning Steering Committee lacked diversity.

Tom Hagen, 927 Lake Street appeared before Council and requested a moratorium on audio permits until a new policy was adopted.

**Public Hearing, 7 pm-Project No. 15-02ABCDE 2016 Roe Crest Drive Improvement Project.**

City Engineer Dan Sarff appeared before Council and stated engineering and City staff reviewed the options for Roe Crest Drive and were introducing a modification for option 2. The modified option 2 would include a 40 foot street and a 5 foot sidewalk with the goal of limiting impact on the established trees and minimizing impact on properties. He stated the narrower street would help decrease speed on the busy street while still accommodating parking on both sides and bike traffic. Christopher Schmidt, 2024 Roe Crest Drive, appeared before Council and stated Option 1 with no sidewalk or trail was what the residents wanted. Lynn Ehalt, 2040 Roe Crest Drive, appeared before Council and stated a sidewalk was necessary for safety purposes, but if the City built a trail behind the houses on the west side of Roe Crest she would not have access. With no one else appearing before Council Mayor Dehen closed the Public Hearing.

**Business Items**

**Res. No. 30-16 Vacating Utility Easements-Lots 3 and 4, Block 3 of the Landing North Phase 1. Council Member Freyberg moved, seconded by Council Member Steiner to adopt Res. No. 30-16 Vacating Utility Easements-Lots 3 and 4, Block 3 of the Landing North Phase 1. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

**Approve Preliminary and Final Plat of the Landing West: a Request from Bruce and Carol Walters.** City Planner Fischer reported the applicants Bruce and Carol Walters purchased lots 3 and 4 of Landing North Phase 1 in the reserve. The applicants intend to combine the lots and construct a single family home. The Planning Commission reviewed the plans and recommended Council approval. **Council Member Freyberg moved, seconded by Council Member Norland to approve the Preliminary and Final Plat of the Landing West. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

**Consider B-1, B-2 and B-3 Setbacks: A Request from the City of North Mankato.** City Planner Fischer indicated at the last Planning Commission meeting staff requested the consideration of changing the setbacks in B-1, B-2 and B-3. The Planning Commission held intense discussion and did not recommend the changes to Council at this time.

**Res. No. 31-16 Adopting Special Assessment Policy.** City Engineer Sarff reported the Special Assessment Policy was ready for adoption. The public comments were taken into consideration and changes made. This was the clean version and ready for Council approval. **Council Member Norland moved, seconded by Council Member Steiner to adopt Res. No. 31-16 Special Assessment Policy. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

**Res. No. 32-16 Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a General Obligation Water Revenue Note, Series 2016, in the Original Aggregate Principal Amount of \$121,833; Providing for its Issuance; and Authorizing the Execution of a Project Loan Agreement.** City Engineer Sarff stated the funds would be used to complete the Well and Well House #9. Unexpected issues occurred while drilling Well #9 and the Public Facilities Authority is offering to finance the remaining cost of the project with a low interest loan. **Council Member Norland moved, seconded by Council Member Freyberg to Adopt Res. No. 32-16 Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a General Obligation Water Revenue Note, Series 2016, in the Original Aggregate Principal Amount of \$121,833; Providing for its Issuance; and Authorizing the Execution of a Project Loan**

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

**Res. No. 33-16 Appointing Members of the Belgrade Avenue Master Plan Steering Committee.** City Administrator Harrenstein indicated over 20 applicants will be included in Belgrade Avenue Master Plan process. The resolution before Council only appoints 7 individuals to the Steering Committee but all applicants will be included in the process. Mayor Dehen indicated the Steering Committee would be used to organize the larger committee and the public meetings. **Council Member Norland moved, seconded by Council Member Freyberg to Adopt Res. No. 33-16 Appointing Members of the Belgrade Avenue Master Plan Steering Committee. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

**Res. No. 34-16 Ordering Improvement and Preparation of Plans and Specifications for Improvement Project No. 15-02ABCDE Roe Crest Drive Project. Council Member Freyberg moved, seconded by Council Member Norland to Adopt Res. No. 34-16 Ordering Improvement and Preparation of Plans and Specifications for Improvement Project No. 15-02ABCDE Roe Crest Drive Project with Option 2 to include a 5 Foot Sidewalk and a 40 Foot Street.** Council Member Spears requested clarification on if the sidewalk and street were within the right-of-way. City Engineer Sarff stated it would all be in the right-of-way. Mayor Dehen stated the City was unable to secure an easement for the proposed trail. The street is over 50 years old and needs to be rebuilt and with traffic volume and its proximity to the school Council should consider including a sidewalk. **Vote on the motion: Norland, Freyberg, Steiner, and Dehen aye; Spears nay. Motion carried.**

#### **City Administrator and Staff Comments**

Public Works Director Swanson reported Spring Clean-up would be April 18-29, 2016.

#### **Mayor and Council Comments**

Council Member Freyberg requested clarification on the status of the compost site. Public Works Director Swanson reported the site was now open.

Council Member Norland thanked the North Mankato Police Department for their calm and help with medical emergencies.

Council Member Norland stated the pursuit of a law against talking on your cell phone while driving would be pursued.

Mayor Dehen reported the City received a thank you from Pedal Past Poverty. The event raised more than \$103,000.

Mayor Dehen stated Community Garden plots were available at 2000 Howard Drive in North Mankato.

#### **Public Comments**

Karen Dubke, 2041 Roe Crest Drive, stated she was disappointed that a sidewalk would be added to the Roe Crest Drive Reconstruction but thanked the Council for their work.

Sarah Sanders, 2224 Clare Drive, appeared before Council and stated she was disappointed that a sidewalk was included in the Roe Crest Drive improvement.

Randy Lundston, 2043 Roe Crest Drive, appeared before Council and stated he was disappointed that the Council did not agree with the residents of Roe Crest Drive and decided to include a sidewalk in the reconstruction.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 8:15 p.m.

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Mayor

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City Clerk