

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 15, 2017. 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: Council Members Norland, Whitlock, and Steiner, Mayor Dehen, City Administrator Harrenstein, Finance Director McCann, Attorney Kennedy, Community Development Director Fischer, Public Works Director Swanson and City Clerk Van Genderen. Absent: Council Member Freyberg.

Approval of Agenda

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

Approval of Minutes

Council Member Norland moved, seconded by Council Member Whitlock, to approve the minutes of the Council meeting of May 1, 2017. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.

Public Hearing, 7 p.m. – Consider Adoption of Ordinance of Annexation of Land.

Mayor Dehen opened the meeting to the public for comment. Mayor Dehen stated the public hearing must be continued to allow time for the Belgrade Township to consider waiving the 90-day waiting period. **Council Member Norland moved, seconded by Council Member Whitlock to continue the Public Hearing to May 25, 2017 at 12 noon in the Council Chambers. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

Consent Agenda

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

- A. Res. No. 33-17 Approving Donations/Contributions/Grants.
- B. Res. No. 34-17 Waiving Waiting Period for Exemption from Lawful Gambling License for Feeding Our Communities Partners.
- C. Res. No. 35-17 Approving Municipal Assessment-400 Valerie Lane.
- D. Res. No. 36-17 Declaring the Official Intent of the City of North Mankato to Reimburse Certain Expenditures from the Proceeds of Bonds to be Issued by the City.
- E. Approved Audio Permit for 60th Birthday at 1518 LorRay Drive on June 24, 2017 from 6:00 pm to 10:00 pm
- F. Approved Parade Permit for the Mankato Brewery Annual Fun Run on August 19, 2017 from 8:00 am to 1:00 pm.
- G. Approved Parade Permit for the Next Step Recovery Group Walk on June 30, 2017 from 7:30-9:30 pm at Spring Lake Park.

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

Mayor Dehen thanked all those who donated swim facility passes.

Public Comments

Barb Church, 102 Wheeler Avenue appeared before Council and requested the total number of surveys in the National Citizens Survey and requested the Technical Appendices.

Business Items**Accept Planning Commission Amendments to City Sign Code Section 154.12, B-3 and Set a Public Hearing for 7:00 p.m. on June 5, 2017 to Consider Amendments to the City Sign Code.**

Community Development Director Fischer reported that in April of 2017, the Planning Commission reviewed a variance request from Commerce Drive Dental to allow both a ground sign and a pylon sign at 2040 Commerce Drive. The Planning Commission recommended denial of the variance request and directed staff to propose amendments to the Sign Code. The Sign Code currently allows 1 ground or 1 pylon sign for a single occupant business. City staff recommended the following code changes:

1. A business may use 1 ground and 1 pylon sign subject to:
 - a. Business is immediately adjacent to two (2) public roadways one of which is a U.S. Trunk Highway
 - b. The pylon sign shall be adjacent to the U.S. Trunk Highway
 - c. The pylon sign is not within two hundred (200) feet of another pylon sign
 - d. The lot size of the business shall not be less than one (1) acre

Community Development Director Fischer stated the Planning Commission recommended the City Code changes. **Council Member Steiner moved, seconded by Council Member Norland to accept the Planning Commission Amendments to City Sign Code Section 154.12, B-3 and Set a Public Hearing for 7:00 p.m. on June 5, 2017 to Consider Amendments to the City Sign Code. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

Accept Planning Commission Amendments to City Sign Code Section 154.15 I-1, M-1 and M-2: A Request from Kato Engineering and set a Public Hearing for 7:00 p.m. on June 5, 2017 to Consider Amendments to the City Sign Code.

Community Development Director Fischer stated Kato Engineering was requesting the City consider amending City Sign Code for the industrial districts which limit buildings over 25,000 square feet to 400 square feet of signage. The building in question is 272,425 square feet. The Planning Commission held a discussion concerning current regulations and recommended a tier system: less than 25,000 square feet are allowed 200 square feet of signage, 25,001-200,000 are allowed 400 square feet of signage and buildings over 200,000 square feet are allowed 600 square feet of signage. Mayor Dehen stated he believed the tier system was a good idea. **Council Member Steiner moved, seconded by Council Member Norland to accept the Planning Commission Amendments to City Sign Code Section 154.15 I-1, M-1 and M-2: A Request from Kato Engineering and set a Public Hearing for 7:00 p.m. on June 5, 2017, to Consider Amendments to the City Sign Code. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

Accept Planning Commission Recommendations for CUP-1-17 for Planned Unit Development Birchwood Cottages: A Request from Cottage Properties of Mankato. Community Development Director Fischer stated the request before Council is a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) on the property formally known as the Tschohl property located at the intersection of LorRay Drive and Lee Boulevard. A PUD is a type of Development not subject to standard zoning requirements which can provide flexibility and innovation for subdivision design. The proposed development consists of two 24 unit buildings and one future 12 unit building to accommodate seniors with memory-related dementias. Community Development Director Fischer reported that in exchange for more density on the property the developers are focusing on preserving the trees. Part of the PUD process includes community involvement and the developers met with area property owners on March 30, 2017. Community Development Director Fischer indicated the Planning Commission recommended the CUP with the following conditions:

1. The use of the buildings shall be in assisted living memory care housing.
2. The applicant deed Outlot A of Birchwood Cottages to the City as ravine property.
3. The applicant provides an easement for a pedestrian trail along the north side of the property.
4. The applicant removes the southernmost existing curb cut into the property.
5. The proposed southerly driveway be designated as an exit only with appropriate signage and that the southerly driveway is limited to right turns only onto LorRay Drive leaving the development with appropriate signage.
6. Buildings 1 and 2 are permitted for construction, and Building 3 would require a PUD amendment.

Attorney Kennedy stated the Planning Commission determined that building 3 would require a PUD amendment because it would not be built for 5 to 10 years. Council Member Norland requested clarification on the access points. Community Development Director Fischer reported the two northern access points would allow both rights and left turns while the southernmost access point would allow only right turns to ensure back-ups do not occur turning onto Lee Boulevard. Mayor Dehen stated he believed this was a good use of the property and thanked the development company for their communication efforts with the neighborhood. **Council Member Steiner moved, seconded by Council Member Norland to Accept the Planning Commission Recommendations for CUP-1-17 for Planned Unit Development Birchwood Cottages: A Request from Cottage Properties of Mankato. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

Approve Preliminary Plat of Birchwood Cottages; A Request from Cottage Properties of Mankato. Community Development Director Fischer reported the property formerly known as the Tschohl property had never been formally platted. He stated the 7.80 acres would be platted as Lot 1, Block 1, Outlot A and Right of Way. Outlot A would be deeded to the City as Ravine property and Lot 1, Block 1 would be where the development would be built. **Council Member Steiner moved, seconded by Council Member Norland to Approve the Preliminary Plat of Birchwood Cottages; A Request from Cottage Properties of Mankato. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

Approve Preliminary and Final Plat of Northport No. 20: A Request from Timm Farms & North Mankato Port Authority. Community Development Director Fischer reported the North Mankato Port Authority is in the process of purchasing 50.134 acres of vacant property from Timm Farms for future industrial development. The property is in the process of being annexed into the City limits. The Port Authority has ownership of a parcel of land platted as Parcel 3S1 of Nicollet County Right of Way Plat No. 26 which is located adjacent to the Timm Farms property at the intersection of Rockford Road and Carlson Drive; as proposed, the two properties would be platted as Northport No. 20. Upon successful purchase and annexation of the property, the Port Authority would sell Lot 1, Block 1 and Lot 1, Block 2 to accommodate two new industrial developments. Outlots A and C would be reserved for future development, and Outlot B would be reserved for a potential new roadway. Attorney Kennedy stated the Preliminary and Final Plat of Northport No. 20 would be contingent on successful annexation of the property. **Council Member Norland moved, seconded by Council Member Steiner to Approve the Preliminary and Final Plat of Northport No. 20: A Request from**

Timm Farms and North Mankato Port Authority. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.

Approve Zoning Application Z-2-17, A Request from Timm Farms & North Mankato Port Authority and Adopt Ordinance No. 89, Fourth Series, Zoning Northport No. 20 as M-2, Heavy Industrial. Community Development Director Fischer reported the applicants are requesting to formally zone Northport No. 20 as M-2, Heavy Industrial to accommodate future industrial development. As the property is being annexed into the City limits, it is necessary to provide a zoning classification based on the intended future use. The proposed M-2 zoning classification is consistent with existing area zoning and the Future Land Use Map. **Council Member Norland moved, seconded by Council Member Steiner to Approve Zoning Application Z-2-17, A Request from Timm Farms & North Mankato and Adopt Ordinance No. 89, Fourth Series, Zoning Northport No. 20 as M-2, Heavy Industrial. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

Receive Draft Annual Budget Process. Finance Director McCann reviewed the proposed Annual Budget Process. He reported the process would integrate strategic planning and department planning, budgeting and performance measurements allowing North Mankato to change the way it plans for the future and to ensure its efforts and resources are aligned in the same direction. Finance Director McCann reported the City would use performance measurements to assist the budget process and ensure the City's finances are in line with the City's goals. Finance Director McCann stated the process also includes a budget calendar and Council Member Freyberg had expressed concerns about starting the budget process before the audit was completed. Mayor Dehen stated he understood Council Member Freyberg's concerns and indicated Finance Director McCann should include the audit in the budget calendar and when the audit was completed the staff should review the audit and make any adjustments with the budget preparation as needed. Mayor Dehen also approved of the use of performance measures to check if the City was attaining their goals. No action was requested

Receive National Citizen Survey Results. Administrator Harrenstein reviewed the results of the National Citizen Survey. He reported the survey revealed nine out of ten respondents believed North Mankato was a good or excellent place to live, 0 people thought it was a poor place to live. Many residents are loyal and would recommend living in the City and citizens feel safe as 9 out of 10 respondents reported feeling safe. Administrator Harrenstein said citizens approved of snow removal and the timing of traffic lights. He reviewed additional information reported in the survey. Mayor Dehen stated this would be a good benchmark for future results as Council proposes completing a survey every 3 to 5 years. **Council Member Norland moved, seconded by Council Member Steiner to Approve the National Citizen Survey Results. Vote on the motion: Norland, Whitlock, Steiner and Dehen, aye; no nays. Motion carried.**

City Administrator and Staff Comments

Attorney Kennedy stated he reviewed the request from the Minnesota Department of Revenue for collecting landowner Social Security Numbers. He said the Department of Revenue did not provide a satisfactory answer concerning State Statute and he does not recommend the City collect the information.

Mayor and Council Comments

Council Member Norland requested a Council Workshop to discuss green infrastructure. City Administrator Harrenstein indicated staff would like to have a meeting with Council Member Norland and Council Member Whitlock to discuss ideas and then proceed to have a Council Work Session to discuss ideas.

Council Member Steiner requested an article in the next newsletter reviewing how citizens should care for their ravines.

Mayor Dehen stated the fountain at Centennial Park was turquoise to raise awareness of lung cancer in U.S. women.

Mayor Dehen reported he was able to swear in the Mayor's of Biz town at Dakota Meadows.

Mayor Dehen invited bikers to the annual Mayor's Ride at 6:00 p.m. on May 23, 2017, beginning at the North Mankato City Hall.

Mayor Dehen invited participants to the June 3, 2017, Bookin' on Belgrade.

Mayor Dehen invited everyone out to ArtSplash and the North Star Bike Festival on June 17, 2017, events will be centered at South Central College.

Public Comments

Tammy Phillips and Matt Goedtel appeared before Council and expressed continued concerns over the property located at 205 Queens Court. After reviewing issues with the property; City Administrator Harrenstein requested the neighbors remain after the meeting so they could meet with City staff to address their concerns.

Phil Henry, 1300 Noretta Drive, appeared before Council and stated the deer continue to eat his vegetation.

Tom Hagen, 927 Lake Street, appeared before Council and stated he would like City Council to control the number of deer as he believed they were creating a public health hazard because they spread the Powassan virus. He also stated the City should consider a Historic Preservation Commission.

Administrator Harrenstein stated if deer truly were a public health hazard then the County Health Department should weigh in on Lyme disease and the Powassan virus. He indicated if the City Council would like to shoot the deer they certainly can, but currently, there is not enough evidence to support a deer hunt. He stated the Green Space Committee which includes a member of the DNR has reviewed the issue and did not recommend a deer hunt. Mayor Dehen stated the City Council is monitoring the issue which includes collisions with deer and in the future, the health of the deer will be monitored in these situations. He noted there were only 3 car/deer incidents in 2016. The City has been speaking with the DNR, attending meetings and will monitor Lyme disease and Pawassan virus reports; but until more evidence is produced that there is a deer problem, the city will not conduct a deer hunt as a deer hunt will create its own issues. Mayor Dehen stated that Mr. Hagen lives on 6 acres of hillside and because of that he would experience more deer.

Phil Henry, 1300 Noretta Drive, appeared before Council and stated his ravine is denuded of new growth, although deer will not eat buckthorn.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated she attended a deer management session hosted by the DNR and the state is about one year out of a Statewide deer management plan. She stated chronic wasting disease is found mainly on deer farms. She requested clarification on what the City has done with the landlord Social Security Numbers it has collected. Administrator Harrenstein indicated they were collected during the renewal process and staff would be interested in destroying the records as they do not want to have the numbers.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting was adjourned at 8:10 p.m.

Mayor

City Clerk