

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 April 2, 2018. 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 Norland, Freyberg, and Steiner, City Administrator Harrenstein, Finance Director McCann, Attorney Kennedy, Community Development Director Fischer, and City Clerk Van Genderen. Absent: Council Member Whitlock.

**Approval of Agenda**

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

**Approval of Council and Open Forum Meeting Minutes**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council and Open Forum meeting of March 19, 2018. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; no nays. Motion carried.**

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

Community Development Director Fischer reviewed the proposed Code of Ordinance changes. The information was available for review before the meeting and included changes to City Code 91.04 Farm Animals, 156.052 Nonconforming Uses, 156.035 Generally, 151.11 Conduct on Licensed Premises, 52.07 Water Meters, and 156.054 Performance Standards.

Barb Church, 102 Wheeler Avenue, appeared before Council and requested clarification on 151.11 Conduct on Licensed Premises. Attorney Kennedy clarified that the responsible party is the licensee, not the tenant. Ms. Church indicated the language was confusing. Ms. Church also spoke about City Code 156.054 concerning fences being required to follow the unaltered natural terrain of the property. Mayor Dehen asked if a variance could be used to accommodate Ms. Church's request. Community Development Director Fischer reported that would be a possibility. Community Development Director reported the Code does require the fence to follow the terrain.

**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 Caswell Sports Mud Lake 5K on May 6, 2018, from 9:00 a.m. to 11:00 a.m.
- C. Approved Audio Permit for Caswell Sports Mud Lake 5K at Wheeler Park on May 6, 2018, from 9:00 a.m. to 10:30 a.m.
- D. Approved Crossview Covenant Church Parade Permit for Saturday, May 19, 2018, from 9:30 a.m. to 11:30 a.m.

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

**Public Comments Concerning Business Items on the Agenda**

None.

**Business Items**

**Ordinance No. 102 Fourth Series, An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Revising, Updating and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances and Providing Penalties for the Violation of the Code of Ordinances.** Council Member Steiner moved, seconded by Council Member Norland to Adopt Ordinance No. 102 Fourth Series, An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Revising, Updating and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances and Providing Penalties for the Violation of the Code of Ordinances. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; no nays. Motion carried.

**Res. No. 35-18 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Project No. 17-05 ABCDEF, Jefferson Avenue Reconstruction Project.**

City Engineer Sarff appeared before Council and stated he would discuss Items #10B and #10C together. He indicated the first resolution declares the costs to be assessed and orders the preparation of the assessment roll. City Engineer Sarff stated the City received six bids for the project with WW Blacktopping as the low bid at \$360,095.75 which was 7% below the Engineer's Estimate. He recommended awarding WW Blacktopping the contract. City Engineer Sarff reported Item #10C sets the Public Hearing for the proposed assessment for Project No. 17-05 ABCDEF, Jefferson Avenue Reconstruction Project. He indicated the proposed assessment per property was capped at \$6,000, and the calculated cost for the improvement was greater than the \$6,000. The total amount proposed to be assessed was \$114,000 for the 19 properties. City Engineer Sarff indicated there was a significant reduction in cost to the property owner due to the assessment cap. **Council Member Norland moved, seconded by Council Member Steiner to Adopt Res. No. 35-18 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Project No. 17-05 ABCDEF, Jefferson Avenue Reconstruction Project. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; no nays. Motion carried.**

**Res. No. 36-18 for Hearing on Proposed Assessment Project No. 17-05 ABCDEF, Jefferson Avenue Reconstruction Project.** Council Member Steiner moved, seconded by Council Member Norland to Adopt Res. No. 36-18 for Hearing on Proposed Assessment Project No. 17-05 ABCDEF, Jefferson Avenue Reconstruction Project. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; no nays. Motion carried.

**Res. No. 38-18 Approving Plans and Specifications and Ordering Advertisement for Bids Project No. 18-03DE, 2018 Street Improvement Project.**

City Engineer Sarff reported with the adoption of the Pavement Management Study the City continues to prioritize mill and overlay projects. There are a total of 8 projects being contemplated for 2018 including Raymond Drive Bituminous Wearing Course, Spring Lake Park Hockey Rink and Parking Lot/Driveway, Roe Crest Drive from Commerce Drive to Lee Boulevard, Tower Boulevard from Commerce Drive to Lee Boulevard, Howard Drive from Lor Ray Drive to Countryside Drive, Sherwood Drive from Nottingham Drive to dead-end cul-de-sac, Lor Ray Drive from Lee Boulevard to Clare Drive, and Haughton Avenue from Howard Drive to Countryside Drive. City Engineer Sarff reported the budget was \$380,000 and the City would have a base bid along with alternate bids. He did not anticipate the City being able to complete all of the projects. City Engineer Sarff stated bids would be opened on May 7, 2018. Mayor Dehen requested clarification on the inclusion of Raymond Drive considering lots would be added. City Administrator Harrenstein reported there were concerns

about Raymond Drive because it has gone so long with just the base, the work would be to construct the final layer of the road. He also reported there was an attempt to balance the work between residential and industrial to ensure the Pavement Management System was working for everyone. Mayor Dehen stated it might be a good idea to reevaluate the Pavement Management Study when a new Public Works Director was hired. **Council Member Freyberg moved, seconded by Council Member Norland to Adopt Res. No. 38-18 Approving Plans and Specifications and Ordering Advertisement for Bids Project No. 18-03DE, 2018 Street Improvement Project. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; no nays. Motion carried.**

**Res. No. 37-18 Ordering Preparation of Report on Improvement, North Port Industrial Park West.**

City Engineer Sarff stated a drawing was included in the packet showing the North Port Industrial Park. The City recently received a grant through the Greater Minnesota Business Development Public Infrastructure Grant Program (BDPI) for the extension of sanitary sewer and watermain to provide service to the area. City Engineer Sarff reported things were developing in the industrial park and challenges were developing. A sanitary sewer lift station will be required for further development in the area. City staff has recently negotiated terms of an agreement with MnDOT sharing the existing stormwater ponds in MnDOT owned property adjacent to Highway 14 which can be utilized as a regional stormwater pond for the area. In order to verify the street and utility layouts and to determine an estimated cost, it is recommended that a preliminary engineering report is authorized. City Engineer Sarff encouraged the City to apply for additional BDPI grants for the infrastructure improvements. **Council Member Norland moved, seconded by Council Member Steiner to adopt Res. No. 37-18 Ordering Preparation of Report on Improvement, North Port Industrial Park West. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; no nays. Motion carried.**

**Review 2019 Budget & Proposed 2019-2028 CIP Schedule.**

Finance Director McCann continued the 2019-2028 CIP Schedule review by discussing three streets in lower North Mankato that merit consideration for reconstruction. The streets included Tyler Avenue from Cross Street to Range Street, Harrison Avenue from Cross Street to Range Street and McKinley Avenue from Sherman Street to Range Street. The projects include replacing or adding utilities, street, curb, gutter, sidewalks and driveway aprons. Tyler and Harrison's projects are estimated at \$370,800 each and McKinley Avenue is estimated at \$1,123,200. City Administrator Harrenstein reported this would be a good opportunity to chip away at projects and approach them in smaller pieces. Mayor Dehen stated Tyler and Harrison have issues and it would be good to complete some of the long-standing projects.

**Open Forum**

Kim Spears, 916 South Avenue, appeared before Council and read a portion of an interview he conducted with an MSU student concerning public comments.

Barb Church, 102 Wheeler Avenue, appeared before Council and discussed the City of North Mankato contributing to help raise the Highway 169/Highway 14 Levee.

Lucy Lowry, 2263 Northridge Drive, appeared before Council and discussed cooperation with Mankato, specifically concerning the Highway 169/Highway 14 Levee project.

Tom Hagen, 927 Lake Street, appeared before Council and spoke about public comments and requested the use of the City trail cam for use on his property.

Phil Henry, 1300 Noretta Drive, appeared before Council spoke about public comments and stated the staff should not be able to comment during a public comment period.

Mayor Dehen commented the City of North Mankato has not precluded contributing to the Highway 169/Highway 14 Levee project. He indicated the City is waiting for bids and to see if additional funds can be received from the State or the Federal government and will continue the conversation with Mankato.

**City Administrator and Staff Comments**

Attorney Kennedy noted some individuals expect an immediate response when speaking during the Open Forum. Going forward the Council will need to continue to work through the Open Forum process.

**Mayor and Council Comments**

Council Member Norland thanked Library Director Katie Heintz for the Community Read book **“The Family Romanov.”**

Council Member Steiner sent best wishes to Council Member Whitlock who just finished his cancer treatments. He also indicated agreement with Mayor Dehen that the City does not plan on backing out on the City of Mankato and is waiting for more information.

Mayor Dehen wished Council Member Whitlock the best and indicated he enjoyed the Community Read book.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 7:48 p.m.

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Mayor

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City Clerk