

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 22, 2019. 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, Oachs, and Whitlock, City Administrator Harrenstein, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen.

Approval of Agenda

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

Approval of Council Meeting Minutes January 7, 2019

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of January 7, 2019. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Approval of Council Work Session Minutes January 14, 2019

Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council Work Session of January 14, 2019. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Public Hearing, 7 pm-Revision of Code of Ordinances.

Community Development Director Fischer reported every year the City codifies the City Code and prepares code amendments to help make the code consistent, more understandable to the public and easier for the staff to enforce. The Planning Commission did review all of the changes presented. Community Development Director Fischer reviewed all of the proposed changes including changes to 156.044 B-3, General Commercial District, the addition of 93.04 Sump Pump Water Discharge which requires that upon completion of any street reconstruction or improvement sump pump discharge lines will be tied directly into a storm sewer system, 150.051 P-1, Public Use District which created a conditional use permit for indoor sports facilities, 156.035 generally, and 54.16 Back Yard Drains.

Barb Church, 102 Wheeler Avenue, appeared before Council and requested clarification on if this was a hearing for recodification or new ordinances. City Clerk Van Genderen stated the hearing is for recodification, but the City does clean-up work on the Code during recodification. City Administrator Harrenstein reported the Planning Commission reviewed the code changes because there were proposed changes to the zoning code and it is required that they review the revisions.

Public Hearing, 7 pm-Project No. ABCDEF Tyler Avenue Improvement Project.

City Engineer Sarff appeared before Council and presented a PowerPoint on the proposed project. He reported the area for improvement was on Tyler Avenue between Cross Street and Range Street. The street and utilities are over 65 years old, and the project is included in the 2019 Capital Improvement Plan. City Engineer Sarff reviewed the sanitary sewer conditions, the watermain, storm sewer, and street and surface along with the proposed improvements for the project. He reported there were 21 existing boulevard trees and it is recommended to remove 16 trees. Seven of the trees are ash which is scheduled to be removed, one is unhealthy, four are too large for the boulevard, and four are misshapen and damaged by trimming for the power line. City Engineer Sarff indicated the City would offer replacement trees for those removed, but the trees will need to be placed in the yards as the

boulevard will be too small. City Administrator Harrenstein reported the City tries to preserve trees when possible but must consider the hardship on the trees during the reconstruction process which may make the tree a danger to the residents due to instability. City Engineer Sarff reported that staff reviewed the Complete Streets Policy and reviewed pedestrian accommodation requirements and 5 foot wide ADA accessible sidewalks will be constructed on both sides of the street.

Staff also reviewed bicycle accommodations and determined the addition of on-street or off-street bicycle lanes are not considered feasible for this project. City Engineer Sarff reviewed the estimated project cost: Street-\$284,000, Storm Sewer-\$71,500, Sanitary Sewer Mainline-\$21,000, Watermain Mainline-\$58,600, and Water Services- \$35,300 for a total estimated project cost of \$521,600. City Engineer Sarff reviewed the City Assessment Policy and reported the estimated assessments per property ranged from \$11,600 to \$13,830. He stated the City has in the past used an assessment cap and is recommending an assessment cap of \$6,000 which is the same as what was used on the Jefferson Avenue project. City Engineer Sarff reported the assessments would meet the 20% requirement for a General Obligation Bond. The proposed schedule for the project includes an assessment hearing in May at which time residents will be officially informed of the proposed assessment to their property. City Engineer Sarff reviewed questions concerning the construction and indicated the goal would be a start date after Memorial Day and completion before Labor Day. He noted there would be phases of construction with four or five weeks where residents will have limited access and would need to park their vehicles on the side streets and walk to their residences. Accommodations will be made for residents with mobility issues. Sewer and Water service will be maintained, and mail service will also continue. Communication to residents during the construction will be maintained through direct mailings, door to door contact and updates on the City website. With no one appearing before Council the Mayor closed the Public Hearing.

Consent Agenda

Mayor Dehen requested Item E Resolution Setting Fees in the Consent Agenda to be moved to Business Items, and City Administrator Harrenstein requested Item G Resolution Approving New Auto Read Water Meters as Standard Meter be moved to Business Items.

Council Member Norland moved, seconded by Council Member Whitlock, to approve the Consent Agenda.

- A. Bills and Appropriations.
- B. Res. No. 9-19 Approving Donations/Contributions/Grants.
- C. Res. No. 10-19 Approving Consent Assessment-1716 Mary Lane.
- D. Res. No. 11-19 Approving Consent Assessment-546 Garfield Avenue.
- E. Res. No. 13-19 Approving Pay Equity Report.

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

Public Comments Concerning Business Items on the Agenda

None.

Business Items

Res. No. 12-19 Setting Fees.

Mayor Dehen requested the addition of a fee for the rental of the Warming House. **Council Member Steiner moved, seconded by Council Member Norland to set the Warming House**

Rental Fee at \$100.00. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Council Member Steiner moved, seconded by Council Member Norland to adopt Res. No. 12-19 Setting Fees. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Res. No. 14-19 Approving New Auto Read Water Meters as Standard Meter.

City Administrator Harrenstein reported City staff had received requests from residents for the ability to pay for the installation and new water meter over time with an additional charge on the customer's utility bill. City staff is recommending only customers with good credit be allowed to have the meter and installation charged for payment within one year. **Council Member Whitlock moved, seconded by Council Member Norland to allow Financing of New Water Meters up to One Year. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

Council Member Steiner moved, seconded by Council Member Norland to Adopt Res. No. 14-19 Approving New Auto Read Water Meters as Standard Meter. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried. Council Member Steiner clarified that residents might choose to have new water meters or they can wait until their meter needs to be replaced.

Ordinance No. 112, 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. 112, 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: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Res. No. 15-19 Ordering Improvement and Preparation of Plans Project No. 18-07 ABCDEF Tyler Avenue Improvement Project.

Mayor Dehen requested clarification on the use of the new water meters for the project. City Administrator Harrenstein confirmed that the new auto-read meters would be installed. City Engineer Sarff reported there would be no extra cost to the residents for the meters. Council Member Whitlock requested language concerning the lighting be included in future presentations and reports.

Council Member Norland moved, seconded by Council Member Whitlock to adopt Res. No. 15-19 Ordering Improvement and Preparation of Plans Project No. 18-07 ABCDEF Tyler Avenue Improvement Project. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Discuss Resolution Related to the Expenditure of Sales Tax Dollars Extended by the Voters of North Mankato in 2016 for Use New Indoor Recreation Facilities.

City Administrator Harrenstein outlined the resolution. He reviewed the main ideas which included New Capital Construction, the Use of Sales Tax Dollars as Matching Funds, New Facilities Constructed and Financed by Sales Tax Dollars, Super-Majority Required for New Indoor Facilities Constructed after 2016 Sales Tax Extension, Reporting of Sales Tax Funds as Part of Annual City

Budget, and Inclusion into Future Debt Management Studies. Council Member Norland expressed concerns about committing to a project and if the project falls apart having to use more Sales Tax money than planned. City Administrator Harrenstein agreed the goal would be to protect taxpayers and the resolution goes a long way to provide that protection. City Administrator stated a bigger question remains concerning leveraging the sales tax dollars with matching funds, and this goes a long way to ensuring that the goal is met. Council Member Norland requested clarification on ongoing maintenance of the facility and if Sales Tax dollars will be leveraged for that purpose. City Administrator Harrenstein reported the Sales Tax dollars is reserved for Capital construction cost, and that is one reason the City is pursuing a Food and Beverage Tax as it can be used for operations. City Attorney Kennedy noted the facility would not make money and operations of the facility must be taken into account. City Administrator Harrenstein noted that no policy takes into account every possibility, but this policy helps inform a decision. Mayor Dehen stated each request will be considered case by case and must have thoughtful deliberation. City Administrator Harrenstein reported that the Council could continue deliberation of the resolution at a Council Work Session. Council agreed to further address the proposed resolution at a Council Work Session.

Open Forum

Tom Hagen, 927 Lake Street, appeared before Council and reported he believed that the Public Comment should be allowed before the Consent Agenda is passed and following each discussion of a Business Item to promote transparency and democratic participation.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated the resolution concerning sports complexes should include outdoor sports, not just indoor sports. She wanted clarification on completing the spending of the first \$6 million Sales Tax dollars. Ms. Church reported she was concerned about the Food and Beverage Tax because it takes money out of her pocket.

Phil Henry, 1300 Noretta Drive, appeared before Council and indicated he appreciated the Council Work Session but did not like the seating arrangement.

Elvis Weichel, 419 Webster Avenue, appeared before Council and stated he agreed with Council Member Norland concerning continued questions about where funding will come from for the indoor recreation. He also stated it was good that homeowners could choose to have their water meter replaced with an auto-read meter.

City Administrator and Staff Comments

City Administrator Harrenstein reminded residents that the Warming House Grand Opening would be Thursday, January 24th at 3:30 pm and Anthony Ford Pond Hockey will take place over the weekend.

Public Works Director Host reported the new plow truck is in service and was useful during the snow events.

Mayor and Council Comments

Council Member Oachs reported she appreciated the Council Work Session.

Council Member Norland reported two additional resources to help fight scams will be included in the library information.

Council Member Whitlock reported Anthony Ford Pond Hockey kicks off with the East/West Alumni game on Friday, January 25th at 5 pm and continues on Saturday and Sunday with play beginning at 8 am.

Mayor Dehen reported he attended the Highway 14 meeting and was encouraged that Margaret Anderson Kelliher the new MnDOT commissioner supports the completion of Highway 14 from New Ulm to Rochester.

Mayor Dehen reported the City had received the GFCOA award for excellence in financial reporting.

Mayor Dehen stated the City received thank you notes from the Girl Scouts and the School District for the gambling fund contribution.

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

Mayor

City Clerk