

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Council Chambers of the Municipal Building on August 20, 2007. Mayor Zellmer 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, Mayor Zellmer, Council Members Norland, DeWitte, Schindle and Steiner, Administrator Sande, Finance Director Mork, Engineer Malm, Attorney Kennedy, Planner Fischer and City Clerk Gehrke.

Approval of Minutes

Council Member Norland moved, seconded by Council Member DeWitte, to approve the minutes of the Council meeting of August 6, 2007 and the Council Workshop of August 6, 2007. Vote on the motion: Norland, DeWitte, Schindle and Zellmer, aye; Steiner abstained; no nays. Motion carried.

Correspondence

Manufactured Home Relocation Trust Fund

In response to concerns by residents of Camelot and Avalon, Administrator Sande reviewed the state statute adopted by the 2007 Legislature addressing the manufactured home relocation trust fund. A state manufactured housing relocation trust fund was created to compensate owners of manufactured homes and residents of manufactured home parks when such parks are closed or converted to other uses and the residents are required to move during closure or conversion. Park residents who remit a \$12 annual payment to the fund are eligible for relocation costs. As required by the statute, a letter was sent to Camelot and Avalon residents informing them of the creation of the manufactured home relocation trust fund. Residents may participate by submitting the \$12 fee, but they are not required to participate in the program. Administrator Sande reported the City has a good working relationship with Camelot Park and Avalon Park and that both parks are remaining open.

Open the Meeting to the Public for the First Time

The Mayor opened the meeting to the public for the first time with no one appearing.

Nicollet County Board Actions

Administrator Sande reported the Nicollet County Engineer requested, and the County Board approved, proceeding with the initial preparations necessary for the reconstruction of the portion of CSAH 5 between CSAH 13 and CSAH 40.

Staff Reports

City Planner

Minutes of August 9, 2007 Planning Commission Meeting

The Council accepted the minutes of the August 9, 2007 Planning Commission meeting.

V-4-07, Variance Request to Reduce Rear Yard Setback from 15 feet to 7 feet at 2035 Sundance Lane

Planner Fischer presented a request from Terry and Jill Krueger to reduce a rear yard setback from 15 feet to 7 feet for a brick paver patio which was installed at 2035 Sundance Lane. The applicants' contractor installed their patio without first obtaining a building permit resulting in the patio constructed in a manner where it did not meet the rear yard setback and encroaches 3 feet onto adjacent park property. The applicants are requesting a variance which would permit two decorative pillars to remain and the lower patio would be removed and relocated. Planner

Fischer reported the applicants purchased the home in 2006 and were unaware of the location of the property lines. The recent installation of the patio was not intentionally constructed to violate City setback regulations including the building permit application process. This was prior to the requirement that buyers complete and provide to the City the Property Line Identification Disclosure Statement. The Mayor requested staff send a letter to the Realtors Association restating our position that all homebuyers must sign the Property Line Identification Disclosure Statement because of problems such as this. The Planning Commission recommended approval of the variance based on the following factors: 1) The applicants' proximity to the adjacent pond and parkland, 2) No neighborhood objections, 3) Park will always be used for park purposes, and 4) The patio is not located on any utility easement if a 7-foot rear yard setback is granted.

Council Member Steiner moved, seconded by Council Member Norland, to approve V-4-07, a variance request to reduce a rear yard setback from 15 feet to 7 feet at 2035 Sundance Lane. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

City Administrator

Request for Quotation for Well #5 Maintenance

Administrator Sande presented a request for quotation for maintenance of Well #5 reporting all wells are on a 5-7 year rotating maintenance schedule. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the request for quotation for Well No. 5. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Res. No. 78-07 Approving Plans and Specifications, Ordering Improvement and Authorizing Advertisement for Bids for Project No. 07-03A, Marvin Boulevard Sanitary Sewer Lift Station

Administrator Sande presented Resolution No. 78-07 approving plans and specifications, ordering improvement and authorizing advertisement for bids for Project No. 07-03A, Marvin Boulevard Sanitary Sewer Lift Station. The modifications for this lift station include a 10,000 gallon overflow tank. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 78-07 Approving Plans and Specifications, Ordering Improvement and Authorizing Advertisement for Bids for Project No. 07-03A, Marvin Boulevard Sanitary Sewer Lift Station. Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion Carried.**

Schools and Conferences

Council Member Steiner moved, seconded by Council Member Norland, to approve actual and necessary expenses for the following schools and conferences:

1. Tree Inspection Recertification Workshop, Waseca, September 17, for three Park employees.
2. LMC Chainsaw Training Workshop, Lake Crystal, September 12, for two Street and three Park employees.
3. Certified Building Official – Limited Course, St. Paul, December 4-7, for Assistant Building Inspector.

Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

City Clerk

Audio and Large Group Permit for New Creation Church for Youth Group Gathering, Spring Lake Park from 1 p.m. to 10 p.m. on Saturday, August 25, 2007

Clerk Gehrke presented a request for an audio and large group permit for New Creation Church to hold a youth gathering at Spring Lake Park from 1 p.m. to 10 p.m. on Saturday, August 25, 2007. **Council Member DeWitte moved, seconded by Council Member Steiner, to approve the audio and large group permit for New Creation Church to hold a youth gathering at Spring Lake Park from 1 p.m. to 10 p.m. on Saturday, August 25, 2007. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Report from Council Members

Council Member Norland

Council Member Norland reported the Park & Green Spaces Committee will meet on Tuesday, August 21, 2007.

Council Member DeWitte

Council Member DeWitte reported the Commerce Day event on August 10, 2007 was well attended.

Report from Mayor

The Mayor reported he will attend the SMILES event at 4 p.m. on Tuesday, August 21, 2007 and present a resolution declaring August 21, 2007 as SMILES Disability Awareness Day.

The Mayor thanked the City crews for their efforts in displaying the flags for the funeral of Staff Sergeant Jacob Thompson. The Council will meet to consider an appropriate memorial in North Mankato to honor Jacob.

Open the Meeting to the Public for the Second Time

The Mayor opened the meeting to the public for the second time with no one appearing.

Bills and Appropriations

Council Member Schindle moved, seconded by Council Member Steiner, to approve all bills and appropriations in the amount of \$232,439.13. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 7:35 p.m. on a motion by Council Member Norland, seconded by Council Member DeWitte. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

Mayor

City Clerk