

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 February 4, 2008. 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 Schindle, Steiner, Norland and DeWitte, City Administrator Sande, Finance Director Mork, City Clerk Gehrke, Engineer Malm and Planner Fischer. Absent: Attorney Kennedy.

Approval of Minutes

Council Member Norland moved, seconded by Council Member DeWitte, to approve the minutes of the Council meeting of January 22, 2008, as amended. Vote on the motion: Steiner, Norland, DeWitte and Zellmer, aye; Schindle abstained; no nays. Motion carried.

Correspondence

Letter from James Swanson, Minnesota Department of Transportation

Administrator Sande read a letter from James Swanson, Minnesota Department of Transportation to the City of Mankato outlining MnDOT's position on the City of Mankato's proposal for the Mulberry Street and 2nd Street intersection. MnDOT will approve the revisions to this intersection only if the City of Mankato is willing to take full jurisdiction of the roadway and bridge within the City of Mankato. This would also require the City of North Mankato to assume full responsibility and liability for the portion of the bridge within the North Mankato city limits. **Council Member Schindle moved, seconded by Council Member DeWitte, to respond to MnDOT that the City of North Mankato is not willing to take jurisdiction of the bridge within the North Mankato city limits. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Open the Meeting to the Public for the First Time

Shannon Robinson, Twin Rivers Center for the Arts

Shannon Robinson, Twin Rivers Center for the Arts, appeared before the Council and thanked them for their generous support and gave an update of the Twin Rivers Center for the Arts (TRCA). TRCA is located in the Emy Frenz Arts Guild which also provides space for organizations and individuals for art classes, workshops, coordinated gallery walks and small performances such as poetry readings and acoustic music. Ms. Robinson reported the mission of TRCA, through strategic collaboration, is to support and promote regional arts and culture. TRCA represents an alliance of more than 20 local arts and culture nonprofits. Additional information can be found on Twin Rivers Center for the Arts website at www.twinriversarts.org.

Rachel Palmer, Parents and Community Supporting Swimming in the Greater Mankato Area

Rachel Palmer, 515 Jefferson Avenue, representing Parents and Community Supporting Swimming in the Greater Mankato Area, appeared before the Council and gave a PowerPoint presentation for a community friendly swimming pool. Ms. Palmer named the users of this proposed facility as community education, youth curriculum and teams, elderly, special needs, therapeutic needs and cross training. Reasons given for the need for a new swimming pool are the outdated facilities at Mankato West High School, the limited swimming programs, lack of enough swimming pools to meet the growing needs of the community and safety concerns. The request is for collaboration with the school district for a swimming pool attached to the Dakota Meadows Middle School. Pam Schreiner, 215 E. Skyline Court, Community Services Aquatic Supervisor, appeared before the Council and reported the need for a swimming facility in the North Mankato area for Red Cross swimming lessons.

Nicollet County Board Actions

Administrator Sande reported the Nicollet County Board discussed the resolution recently adopted by the City of North Mankato pertaining to legislative changes being considered regarding the Electronic Library for Minnesota (ELM) system. The County Board will continue this discussion at a future workshop.

Staff Reports**City Administrator****Res. No. 14-08 Declaring Surplus Vehicle**

Administrator Sande presented a memo from the Public Works Director requesting Unit #716, a 2005 Ford Crown Victoria with police interceptor package (98,000 miles) be declared surplus and sold to the highest bidder. **Council Member Steiner moved, seconded by Council Member Schindle, to adopt Resolution No. 14-08 Declaring Surplus Vehicle and authorizing the sale of the 2005 Ford Crown Victoria to the highest bidder. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 15-08 Approving Minnesota Department of Transportation Partnership Agreement

Administrator Sande presented the Minnesota Department of Transportation Partnership Agreement reporting this Agreement allows MnDOT and local governments to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads and to respond quickly and efficiently to such opportunities and have the ability to write work orders against a master contract for speed and flexibility in responding to identified needs. This is a renewal of the Partnership Agreement which was first signed in November 2002. **Council Member Steiner moved, seconded by Council Member DeWitte, to adopt Resolution No. 15-08 Approving Minnesota Department of Transportation Partnership Agreement. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 16-08 Approving Plans and Specifications, Ordering Improvement and Authorizing Advertisement for Bids for Project No. 07-02, Water Tower No. 1 Replacement

Administrator Sande presented Resolution No. 16-08 approving plans and specifications, ordering improvement and authorizing advertisement for bids for Project No. 07-02, Water Tower No. 1 Replacement. Bids will be taken at 11 a.m. on Tuesday, March 11, 2008 to replace Water Tower No. 1 on Tower Boulevard increasing the above ground water storage capacity from 100,000 gallons to 500,000 gallons. **Council Member Schindle moved, seconded by Council Member Norland, to adopt Resolution No. 16-08 Approving Plans and Specifications, Ordering Improvement and Authorizing Advertisement for Bids for Project No. 07-02, Water Tower No. 1 Replacement. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 17-08, Accepting Feasibility Report and Ordering Plans & Specifications for Project No. 08-05 ABCDEF, Howard Drive West Extension

Administrator Sande presented the feasibility report for Project No. 08-05ABCDEF, Howard Drive West Extension at an estimated project cost of \$1,108,928. The project is to service the next phase of the development of the industrial park extending to the west. **Council Member Norland moved, seconded by Council Member Schindle, to adopt Resolution No. 17-08 Accepting Feasibility Report and Ordering Plans and Specifications for Project No. 08-05ABCDEF, Howard Drive West Extension. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 18-08 Approving Change Orders Nos. 1 and 2 for Project No. 07-03A, Marvin Boulevard Lift Station Holding Tank

Administrator Sande presented Change Orders Nos. 1 and 2 for Project No. 07-03A, Marvin Boulevard Lift Station Holding Tank for an increase in the contract cost of \$775.00 to add a vent pipe to the holding tank structure and to modify the completion date to accommodate the late delivery of the grinder pump and panel. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 18-08 Approving Change Orders Nos. 1 and 2 for Project No. 07-03A, Marvin Boulevard Lift Station Holding Tank in the amount of \$775.00 and extending the completion date. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 19-08 Approving Change Order No. 2 for Project No. 07-01ABCDEF, The Reserve (formerly The Landing North)

Administrator Sande presented Change Order No. 2 for Project No. 07-01ABCDEF, The Reserve (formerly The Landing North) for an increase in the contract cost of \$58,315.80. Administrator Sande reported modifications have been made to the plans and work items to complete the site grading for the City park, add back-yard drainage pipe and structures for park drainage and future subdivision phase drainage and increase the size and number of landscaping berms. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 19-08 Approving Change Order No. 2 for Project No. 07-01ABCDEF, The Reserve (formerly The Landing North) in the amount of \$58,315.80. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Accept Petition for Vacation and Set Public Hearing for Vacation of Utility Easement, M.B.P. Subdivision

Administrator Sande presented a Petition for Vacation and requested a public hearing be set for the vacation of utility easement, M.B.P. Subdivision, a request from Junker's Family Enterprises. The utility companies will be notified of the proposed vacation of this utility easement. **Council Member Schindle moved, seconded by Council Member DeWitte, to accept the Petition for Vacation and set a public hearing for 7 p.m. on Monday, March 3, 2008 for vacation of utility easement, M.B.P. Subdivision. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Accept Petition for Vacation and Set Public Hearing for Vacation of a Portion of LorRay Drive Right-of-Way

Administrator Sande presented a Petition for Vacation and requested a public hearing be set for the vacation of a portion of the LorRay Drive right-of-way to facilitate parking for the proposed Walgreen's development. **Council Member Steiner moved, seconded by Council Member Norland, to accept the Petition for Vacation and set a public hearing for 7 p.m. on Monday, March 3, 2008 for vacation of a portion of the LorRay Drive road right-of-way. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Set Spring Cleanup for April 7-11 for Valley and April 14-18 for Hilltop

Council Member Norland moved, seconded by Council Member Steiner, to set Spring Cleanup for April 7-11 for the valley and April 14-18 for the hilltop. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

Set Water Main Flushing for April 14-25, 2008

Administrator Sande reported water main flushing is done twice a year and the Public Works Department will do the flushing following the Spring cleanup. **Council Member Norland moved, seconded by Council Member DeWitte, to set water main flushing for April 14-25. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Schools and Conferences

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

1. 2008 MCFOA Conference, Alexandria, March 11-14 for City Clerk and Deputy Clerk.
2. Public Library Association Conference, Minneapolis, March 27-28, for Library Director and three Assistant Librarians.
3. Confined Space Entry, Minneapolis, April 18, for Assistant Construction Inspector.
4. EI 1001 Erosion/Sediment Control Inspector/Installer, Mankato, February 7, for Assistant Building Inspector.
5. EM 2001 Erosion/Sediment Control Site Management, Farmington, February 4-5, for Assistant Construction Inspector.
6. Minnesota Chiefs of Police Executive Training Institute, Duluth, April 21-24, for Police Chief.
7. 43rd Annual Governor's Homeland Security and Emergency Management Conference, Brooklyn Park, March 11-13, for Emergency Management Director.
8. Utility Training at CMS, Sioux Falls, SD, February 20-21, for Senior Account Clerk and Account Clerk.
9. Pursuit Driving Course, North Mankato, April 4 for one Patrol Officer and May 20 for two Patrol Officers.
10. 13th Annual Tactical Training Conference, St. Cloud, March 9-11, for three Patrol Officers.

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

City Clerk**Res. No. 20-08 Approving Eagles Aerie 269 Mankato Gambling License**

Clerk Gehrke presented the Gambling Permit Application from Eagles Aerie 269 Mankato to conduct lawful gambling at American Legion Post 518, 256 Belgrade Avenue, effective February 5, 2008 through May 31, 2008. This application will be renewed June 1, 2008 to coincide with the balance of the Eagles Aerie 269 Mankato gambling licenses. Eagles Aerie 269 Mankato fulfills all the requirements to possess such a license. **Council Member Schindle moved, seconded by Council Member DeWitte, to adopt Resolution No. 20-08 Approving Eagles Aerie 269 Mankato Gambling License. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 21-08 Approving Renewal of Community Charities of Minnesota Gambling License

Clerk Gehrke presented the renewal of the Gambling Permit Application from Community Charities of Minnesota to conduct lawful gambling at Junkers Bar & Grill, 1705 Commerce Drive, effective April 1, 2008 through March 31, 2010. Community Charities of Minnesota fulfills all the requirements to possess such a license. **Council Member Norland moved, seconded by Council Member DeWitte, to adopt Resolution No. 21-08 Approving Renewal of Community Charities of**

Minnesota Gambling License. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

Res. No. 22-08 Approving Renewal of Mankato Area Youth Baseball Gambling License

Clerk Gehrke presented the renewal for the Gambling Permit Application from Mankato Area Youth Baseball to conduct lawful gambling at Road House 169, 1006 N. River Drive, effective January 1, 2008 through December 31, 2009. Mankato Area Youth Baseball fulfills all requirements to possess such a license. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 22-08 Approving Renewal of Mankato Area Youth Baseball Gambling License. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Res. No. 23-08 Approving Exemption from Lawful Gambling License for South Central College North Mankato Campus Foundation

Clerk Gehrke presented an application for exemption from lawful gambling for South Central College North Mankato Campus Foundation, 1920 Lee Boulevard, to conduct raffles on March 27, 2008. **Council Member DeWitte moved, seconded by Council Member Norland, to adopt Resolution No. 23-08 Approving Exemption from Lawful Gambling License for South Central College North Mankato Campus Foundation to conduct raffles on March 27, 2008. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Large Group Permit for Women of Today Volleyball Tournament

Clerk Gehrke presented a request for a large group permit for the Women of Today Volleyball Tournament to be held at Spring Lake Park from 7:30 a.m. to 10 p.m. on Saturday, June 28, 2008. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the large group permit for the Women of Today Volleyball Tournament from 7:30 a.m. to 10 p.m. on Saturday, June 28, 2008 at Spring Lake Park. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Audio Permit for Jennifer Kelley Anniversary Party

Clerk Gehrke presented a request to use an audio device from 2-4 p.m. on Sunday, August 10, 2008 for an anniversary party at Wheeler Park. A 2-person group playing a guitar and harmonica will provide easy listening music. **Council Member Norland moved, seconded by Council Member Steiner, to approve an audio permit for 2-4 p.m. on Sunday, August 10, 2008 for an anniversary party at Wheeler Park. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.**

Large Group, Extended Park Hours and Audio Permits for Bequette & Krienke Wedding

Clerk Gehrke presented a request for a large group, extended park hours and audio permits for a wedding at Caswell Park from 5 p.m. to midnight on Saturday, May 17, 2008. Clerk Gehrke reported the following five conditions were stipulated and agreed upon prior to bringing this request before the Council: 1) Hire one off-duty Police Officer from 5 p.m. to 12 midnight; 2) Not permitted to drive any vehicles except in the parking lot; 3) All clean up must be completed by 3 p.m. on Sunday, May 18; 4) Responsible to remove and dispose of all trash; and 5) Provide the name, address and phone number of a responsible party in case the bride and groom are unavailable. Music in Motion will be providing the music from 7 p.m. until midnight. The bride and groom, Michael Bequette and JoAnna Krienke, appeared before the Council, and agreed to ensure the speakers are facing Highway 14. A 40'X80' tent will be erected between Fields 3 and 5. **Council Member Steiner moved,**

seconded by Council Member Norland, to approve the large group, extended park hours and audio permits for the Bequette & Krienke wedding to be held from 5 p.m. to midnight on Saturday, May 17, 2008 at Caswell Park subject to the stated conditions. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

Finance Director

Res. No. 24-08 Authorizing Transfer of Funds

Finance Director Mork presented a resolution calling for the following fund transfers: From General Fund (101) to the Capital Facilities and Equipment Replacement Fund (230) - \$20,000 for capital facilities and equipment replacement, From General Fund (101) to the Parkland Fund (225) - a transfer in lieu of parkland fees of \$11,000; From Water Fund (601) to the Capital Facilities-Water Fund (231) - \$40,000 for capital facilities and equipment replacement; From Sewer Fund (602) to Capital Facilities-Sewer Fund (232) - \$45,000 for capital facilities and equipment replacement; From Storm Water Utility Fund (604) to G.O. Refunding Bonds of 2005 (355) - \$45,385 for debt service; From Port Authority Fund (228) to Port Authority Construction Fund (448) - \$10,000 for construction costs; From Sewer Fund (602) - \$5,000; From Water Fund (601) - \$15,000; From Sanitation Fund (603); - \$6,000 to Equipment Certificate of Indebtedness Fund (305) for debt service; From Water Fund (601) - \$34,665 from Sewer Fund (602) - \$52,515 from Sanitation Fund (603) - \$33,680 and from Storm Water Utility Fund - \$4,890 to General Fund (101) Utility Administration Fee; From Sanitation Fund (603) - \$10,000 to Parkland Fund (225) for contribution to construction projects.

Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 24-08 Authorizing Transfer of Funds. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

Res. No. 25-08 Approving and Authorizing Execution of a Declaration of Official Intent of the City under the Reimbursement Bond Regulations of the Internal Revenue Service for Project No. 08-05ABCDEF, Howard Drive West Extension

Finance Director Mork presented a reimbursement resolution for the following project:

Project No. 08-05ABCDEF, Howard Drive West Extension

Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 25-08 Approving and Authorizing Execution of a Declaration of Official Intent under the Reimbursement Bond Regulations on Project No. 08-05ABCDEF, Howard Drive West Extension. Vote on the Resolution: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

Report from Council Members

Council Member Norland

Council Member Norland reported she and Administrator Sande have been in discussions with the Community Recreation and Education Committee about joint funding for programming.

Council Member Norland reported the Park and Green Spaces Committee will be holding an implementation meeting at 6:30 p.m. on Tuesday, February 26, 2008 in the Large Conference Room.

Council Member DeWitte

Council Member DeWitte reported he attended the All Seasons Arena Board meeting on January 25, 2008. The lighting upgrade has been completed and the security system has been installed.

The ASA will be purchasing a new Zamboni. Propane models are \$70,000 to \$90,000 and electric models are \$106,000. Minnesota State University-Mankato will be hosting the figure skating championships in August 2008.

Report from Mayor

The Mayor reported he attended the Area Transportation Partnership meeting on January 31, 2008. Also in attendance were Nicollet County Commissioners Kolars and Haack, County Engineer Mike Wagner, representatives from Belgrade Township, Nicollet Township, and the cities of Nicollet and Courtland. Although no new monies are available for the acquisition of land for the Highway 14 project, MnDOT has agreed \$345,000 from the Federal Transportation Bill could to be used for the first right-of-way land acquisitions.

The Mayor reported a North Mankato/Nicollet County Liaison meeting was held at 4:30 p.m. today. Items from this meeting will be discussed at the next Council Workshop.

The Coalition of Greater Minnesota Cities Legislative meeting will be held next month and a tough fight is expected over Local Government Aid reform. The State revenue forecast due out the last week of February is looking grim.

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 amounts of \$102,571.50 and \$362,375.99. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:25 p.m. on a motion by Council Member Steiner, seconded by Council Member DeWitte. Vote on the motion: Schindle, Steiner, Norland, DeWitte and Zellmer, aye; no nays. Motion carried.

Mayor

City Clerk