

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 July 2, 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 Steiner, Norland, DeWitte and Schindle, Administrator Sande, Finance Director Mork, City Clerk Gehrke, Engineer Rippke, Attorney Kennedy, Planner Fischer and Emergency Management Director Haayer.

Approval of Minutes

Council Member Steiner moved, seconded by Council Member DeWitte, to approve the minutes of the Council meeting of June 16, 2007. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.

Correspondence

Letter from BookPage Announcing Michelle Zimmermann's Nomination for the BookPage Annual Spotlight Award

The Mayor read a letter from BookPage announcing the nomination of Michelle Zimmermann for the BookPage Annual Spotlight Award. Nearly 2,000 entries were received for this award and the winner was announced at the American Library Association Annual Conference on Saturday, June 23, 2007. The Mayor and Council congratulated Michelle for the distinct honor of being nominated for this award.

Letter from Nicollet County Administrator

The Mayor read a letter from Nicollet County Administrator Bob Podhradsky in response to the North Mankato Library resolution calling for proportional representation on the proposed Nicollet County Library Board. Mr. Podhradsky states in his letter that their Bylaws do not call for the proportional representation referenced in our resolution but that the County Board believes the membership representation referenced in the Bylaws is appropriate. For that reason, Nicollet County is not honoring the request for proportional representation based on population on the County Library Board.

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 that Nicollet County has appointed the members for the Nicollet County Library Board as follows:

- Carol Hoffmann – rural Bernadotte Township
- Kristin Woizeschke – City of Nicollet
- Terry Genelin – rural Lake Prairie Township
- Kathy Wilking – rural Nicollet Township
- Mary Ann Hanson – City of St. Peter
- Jodi Gager – City of North Mankato
- Judy D. Hanson – Nicollet County Commissioner

Staff Reports**City Planner****V-2-07, Variance Request to Reduce a Side Yard Setback from 5 feet to 1 foot for a Garage at 233 Wheeler Avenue**

Planner Fischer presented a request from Ryan Luedtke to reduce a side yard setback from 5 feet to 1 foot for an existing garage at 233 Wheeler Avenue. This item was tabled from the June 18, 2007 Council meeting to allow time for the adjacent property owner to locate the private underground utilities. Planner Fischer reported the contractor and City staff along with the adjacent property owner, Tom Bohrer, determined the location of any underground utilities does not encroach onto any adjacent properties and therefore staff is recommending approval of V-2-07. The Mayor asked about the fence requirement when property to the east is developed. Planner Fischer responded the request for a fence was from a previous property owner. **Mayor Zellmer moved, seconded by Council Member Schindle, to approve V-2-07 with the stipulation that if the current or any subsequent owners of 233 Wheeler Avenue want a fence built when the property to the east is developed, it is their responsibility. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

V-3-07, Variance Request to Reduce a Side Yard Setback from 10 feet to 0 feet for a Parking Lot Expansion at 1601 LorRay Drive

Planner Fischer presented a request from Brian and Jody Lange to reduce a side yard setback from 10 feet to 0 feet for a parking lot addition at 1601 LorRay Drive. This item was tabled from the June 18, 2007 Council meeting for the purpose of allowing the applicant the opportunity to consider other parking lot design options. Planner Fischer reported the other option submitted by the applicant would provide for some green space between properties, however, it appears that driving lanes are narrow whereby entrancing and exiting the parking lot and parking spaces may be difficult for customers. Considering the large amount of traffic on LorRay Drive, vehicles need to enter and exit Taco John's in a timely manner to minimize the stacking of vehicles on LorRay Drive. Attorney Kennedy reported if the variance is granted, the Council should specifically identify the grounds for the variance. **Council Member Steiner moved, seconded by Council Member Norland, to approve V-3-07 to reduce the 10' side yard setback to 0 feet for a parking lot addition only for the purpose of minimizing traffic stacking and congestion on LorRay Drive and Nottingham Drive and that parking curbs must be installed. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Brian Lange, owner of Taco John's was in attendance and reported the curb at the northwest corner of the intersection at LorRay and Northway is in need of repair from the semis that drive over the curb. Administrator Sande reported that City staff would make the necessary repairs.

City Administrator**Res. No. 67-07 Adopting the Nicollet County All-Hazard Mitigation Plan**

Emergency Management Director Marion Haayer presented a draft of the Nicollet County All-Hazard Mitigation Plan. He reported this plan is required by the Federal Emergency Management Administration (FEMA) in order to qualify for grants and funds. The Emergency Management Director reported an update of the siren coverage in North Mankato is necessary. The North Mankato Fire Department information was not included in this draft copy; however, these changes will appear in the final copy of the plan. **Council Member Norland moved, seconded by Council Member DeWitte, to adopt Resolution No. 67-07 Adopting the Nicollet County All-Hazard Mitigation**

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

LorRay Drive Turn Back Funds and Feasibility Report

Administrator Sande requested authorization for the City Engineer to research the amount of turn back funds available and for LorRay Drive south of Highway 14 where the white topping test project is failing and to prepare a feasibility report for cost of repair for this area. **Council Member Norland moved, seconded by Council Member Steiner, to authorize the City Engineer to research available turn back funds and prepare a feasibility report for the LorRay Drive area south of Highway 14 where the white topping is failing. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Conference Call with Moody's Investors

Administrator Sande reported a conference call was held with Moody's Investors in an effort to upgrade the City's bond rating. Representatives from Moody's visited North Mankato on June 15, 2007 and toured the industrial park and residential areas of the City.

City Clerk

Audio Permit for Commerce Day Celebration, Roe Crest Drive, from 7:30-11 p.m. on Friday, August 10, 2007

Clerk Gehrke presented a request for use of an audio device for the Commerce Day Celebration on Roe Crest Drive from 7:30-11 p.m. on Friday, August 10, 2007 with the alternate date of Friday, August 17, 2007. Roe Crest Drive from Commerce to the entrance to the Taylor Corporation parking lot will be blocked off and Side FX will be playing for the street dance from 7:30-11 p.m. **Council Member Schindle moved, seconded by Council Member Norland, to approve the audio permit for the Commerce Day Celebration, Roe Crest Drive, from 7:30-11 p.m. on Friday, August 10, 2007 and the alternate date of Friday, August 17, 2007. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Approval of Temporary Liquor License for Commerce on Commerce, Commerce Day Celebration, Roe Crest Drive, on August 10, 2007

Clerk Gehrke presented an application for a temporary liquor license for the Commerce on Commerce Association to serve 3.2 non-intoxicating liquor on August 10, 2007. The Police Chief has approved this request and the necessary insurance is in place. **Council Member Steiner moved, seconded by Council Member Norland, to approve the temporary liquor license for Commerce on Commerce, Roe Crest Drive for August 10, 2007. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Res. No. 68-07 Approving Exemption from Lawful Gambling License for Knights of Columbus 5551 (Commerce Day Celebration)

Clerk Gehrke presented an application for exemption from lawful gambling for Knights of Columbus 5551 to conduct bingo for the Commerce Day Celebration at Godfather's Pizza parking lot, 1765 Commerce Drive on August 10, 2007. **Council Member DeWitte moved, seconded by Council Member Schindle, to adopt Resolution No. 68-07 approving the application for exemption from lawful gambling for Knights of Columbus 5551 to conduct bingo on August 10, 2007. Vote on the Resolution: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Res. No. 69-07 Approving Exemption from Lawful Gambling License for Knights of Columbus 5551

Clerk Gehrke presented an application for exemption from lawful gambling for Knights of Columbus 5551 to conduct raffles at Holy Rosary Church, 525 Grant Avenue, on November 23, 2007. **Council Member Schindle moved, seconded by Council Member DeWitte, to adopt Resolution No. 69-07 approving the application for exemption from lawful gambling for Knights of Columbus 5551 to conduct raffles on November 23, 2007. Vote on the Resolution: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Parade Permit for Gold Wing Road Riders Association Rally

Clerk Gehrke presented an application for a parade permit for the Gold Wing Road Riders Association to hold a rally from 3-4 p.m. on Saturday, July 21, 2007. The North Mankato Police Chief has approved this application. **Council Member Norland moved, seconded by Council Member DeWitte, to approve the parade permit for the Gold Wing Road Riders Association to hold a rally from 3-4 p.m. on Saturday, July 21, 2007. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Audio and Large Group Permit for St. Paul's Lutheran Church at Wheeler Park

Clerk Gehrke presented a request from St. Paul's Lutheran Church for use of an audio device and large group permit to conduct services in Wheeler Park from 8:30 a.m. to 12 noon on July 29, August 5, 12, 19 and 26, 2007. **Council Member Steiner moved, seconded by Council Member Norland, to approve the audio and large group permit in Wheeler Park from 8:30 a.m. to 12 noon on July 29, August 5, 12, 19 and 26, 2007. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.**

Audio Permit for Whitlock/Malone Wedding, 332/334 Belgrade Avenue

Clerk Gehrke presented a request from Jim Whitlock for use of an audio device at 332/334 Belgrade Avenue on Saturday, July 14, 2007 from 6:30-10 p.m. **Council Member Norland moved, seconded by Council Member DeWitte, to approve the audio permit for the Whitlock/Malone wedding at 332/334 Belgrade Avenue on Saturday, July 14, 2007 from 6:30-10 p.m. Vote on the motion: Norland, DeWitte, Schindle and Zellmer, aye; Steiner abstained; 0 nays. Motion carried.**

Finance Director**Res. No. 70-07 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. 07-02B, Water Tower No. 1 Demolition and Replacement, Water Tower No. 2 Modifications and Recoating and SCADA System Improvements**

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

Project No. 07-02B, Water Tower No.1 Demolition and Replacement, Water Tower No. 2 Modifications and Recoating and SCADA System Improvements

Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 70-07 Approving and Authorizing Execution of a Declaration of Official Intent under the Reimbursement Bond Regulations of the Internal Revenue Service for Project No. 07-02B, Water Tower No. 1 Demolition and Replacement, Water Tower No. 2 Modifications and

Recoating and SCADA System Improvements. Vote on the Resolution: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.

Res. No. 71-07 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. 07-03A, Marvin Boulevard Lift Station Holding Tank

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

Project No. 07-03A, Marvin Boulevard Lift Station Holding Tank

Council Member Norland moved, seconded by Council Member Schindle, to adopt Resolution No. 71-07 Approving and Authorizing Execution of a Declaration of Official Intent under the Reimbursement Bond Regulations of the Internal Revenue Service for Project No. 07-03A, Marvin Boulevard Lift Station Holding Tank. Vote on the Resolution: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.

Report from Council Members

Council Member Steiner

Council Member Steiner reported he attended the Heart Association Fund Raiser held at Spinners on Saturday, June 30, 2007. He thanked City staff for their help in setting up for this event.

Council Member Norland

Report of Park & Green Spaces Committee

Council Member Norland reported the Park & Green Spaces Committee met on Tuesday, June 26, 2007 and formed their subcommittees. She provided an updated list of the Committee Members.

Report from Mayor

The Mayor reported he attended the North Mankato Taylor Library Centennial celebration on Saturday, June 23, 2007 and it was an excellent event. He thanked Library Director Lucy Lowry and Deputy Clerk Lynette Peterson for planning and working the event and thanked all City staff members who helped make the event successful.

The Mayor reported he and the City Administrator attended a meeting concerning the realignment of Greater Mankato Economic Development, the Chamber and the Convention & Visitors Bureau. It was agreed to fill the position of Vice President of the CVB immediately. A follow-up meeting will take place within the next 10 days.

The Mayor reported he attended the two events on Friday, June 30, 2007 celebrating Bernie Bastian's 50 years in the banking business.

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 Steiner moved, seconded by Council Member Norland, to approve all bills and appropriations in the amounts of \$218,348.07 and \$1,496,796.70. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 7:55 p.m. on a motion by Council Member Schindle, seconded by Council Member Norland. Vote on the motion: Steiner, Norland, DeWitte, Schindle and Zellmer, aye; no nays. Motion carried.

Mayor

City Clerk