

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 May 21, 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 DeWitte, Steiner and Norland, Finance Director Mork, City Clerk Gehrke, Engineer Rippke, Attorney Kennedy and Planner Fischer. Absent: Council Member Schindle and City Administrator Sande.

### **Approval of Minutes**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of May 7, 2007. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

### **Correspondence**

#### **Thank-You Letter from Twin Rivers Center for the Arts**

Mayor Zellmer read a letter from Twin Rivers Center for the Arts thanking the City for its \$3,000 contribution and the in-kind service of the North Mankato electrician to help establish the new offices in the Emy Frenz Arts Guild in downtown Mankato.

### **2007 Safety Camp**

Mayor Zellmer presented a letter requesting sponsorship from community organizations, businesses and schools for the 2007 Safety Camp which will be held on July 16, 2007.

### **Flaherty & Hood – 2008 Local Government Aid and Local Option Sales Taxes**

Mayor Zellmer reported a memorandum was received via email from Flaherty & Hood with an update of the 2008 Local Government Aid and local option sales taxes that were presented to the Legislature earlier today. If the Legislature approves the bill and the Governor does not veto it, the City of North Mankato will receive an increase of \$188,948 in LGA over the current law and the Local Option Sales Tax for North Mankato would be approved in the amount of \$6 million.

### **Open the Meeting to the Public for the First Time**

#### **Paul Brown, 1104 Quincy Street**

Paul Brown, 1104 Quincy Street, appeared before the Council and voiced his concerns about the Recycling Center. He reported that Recycling Center staff has collected paper that has blown in his yard and Rich Peterson has spoken to him about concerns he addressed to the Council at the May 7, 2007 Council meeting, however, he does not feel enough is being done to address the noise and odors. Mr. Brown also reported materials are blowing in the air from the trucks frequenting the truck wash. He reported seeing Rick's Lawn Service using the brush site. The Mayor reported staff is continuing to work on improving the conditions at the Recycling Center for the area neighbors.

### **Nicollet County Board Actions**

Mayor Zellmer reported he received a letter from the Nicollet County Administrator that at a workshop the Nicollet County Board made a decision they will not be televising their County Board meetings. The City Administrator has asked CCTV to review the cost of staff and equipment to televise the Nicollet County Board meetings and make them available for viewing on the public television channels in North Mankato and St. Peter.

The North Mankato Taylor Library Board adopted a resolution calling for proportional representation on the proposed Nicollet County Library Board. Specifically, the resolution stated the

membership of a County Library Board should reflect the proportion of the population that resides within each jurisdiction and that representatives for the City of North Mankato shall reside within the corporate limits of the City of North Mankato. After each decennial census the proportional representation on the Library Board should be adjusted to reflect changes in the population of the various jurisdictions within the County. A certified copy of this resolution has been sent to Nicollet County.

## **Staff Reports**

### **City Planner**

#### **Minutes of May 10, 2007 Planning Commission Meeting**

The Council accepted the minutes of the May 10, 2007 Planning Commission meeting.

#### **V-1-07, Variance Request to Reduce Side Yard Setback from 5 feet to 0.7 feet at 934 Center Street**

Planner Fischer presented a request from Barbara Plautz to reduce a side yard setback from 5 feet to 0.7 feet for a driveway at 934 Center Street. At the time of the application, the owner was in the process of putting the house on the market and believed the variance would give the future owner of the property the ability to install a garage on the property. The property has recently changed hands and the new owners of the property were contacted regarding the meeting to consider the variance request. The Planning Commission reviewed V-1-07 and recommended approval. **Council Member Norland moved, seconded by Council Member Steiner, to table V-1-07 to the June 4, 2007 Council meeting. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.** The City Planner will contact the new owners of the property informing them of the variance request on the June 4, 2007 meeting agenda and asking them to be in attendance.

## **City Administrator**

### **Update on Sale of Boulevard Trees**

Clerk Gehrke reported that orders would be taken until 5 p.m. on Thursday, May 24, 2007 or until the boulevard trees are gone. Residents of the Cornelia/Grant project who had trees removed and would like them replaced should also contact the City Clerk's Office for tree replacement. Any resident who would like a boulevard tree but has overhead wires will be able to get an ornamental tree in place of a regular boulevard tree. Planting of the boulevard trees will be scheduled for the end of May.

## **City Clerk**

### **Res. No. 51-07 Waiving Waiting Period for Exemption from Lawful Gambling License for Knights of Columbus 5551**

Clerk Gehrke presented an application for exemption from lawful gambling for the Knights of Columbus 5551 to conduct bingo during Fun Days at Wheeler Park, 402 Page Avenue, on July 6-8, 2007. **Council Member Steiner moved, seconded by Council Member DeWitte, to adopt Resolution No. 51-07 approving the application for exemption from lawful gambling for the Knights of Columbus 5551. Vote on the Resolution: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

### **Audio and Large Group Permit for American Legion Post 518 Fundraiser**

Clerk Gehrke presented a request from the American Legion Post 518 to have a large group and use an audio device in Wheeler Park on Saturday, September 22, 2007 for their annual fundraiser. The audio device would be used from noon to 10 p.m. for three bands. **Council Member Steiner moved,**

seconded by Council Member DeWitte, to approve the audio and large group permit for the American Legion Post 518 fundraiser. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

**Temporary Off-Site Liquor License Application for American Legion Post 518, Wheeler Park, September 22, 2007**

Clerk Gehrke presented an application from American Legion Post 518 for a temporary off-site 3.2 malt liquor license for the Hog Roast Fundraiser in Wheeler Park on September 22, 2007. The Police Chief recommends approval of the liquor license. Council Member DeWitte moved, seconded by Council Member Steiner, to approve the temporary off-site 3.2 malt liquor license for American Legion Post 518 fundraiser on September 22, 2007. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

**Parade Permit for Community Education Recreation Department North Mankato Fun Days Kiddie Parade**

Clerk Gehrke presented an application for a parade permit for Community Education Recreation Department North Mankato Fun Days Kiddie Parade on Friday, July 6, 2007 from 6:15 p.m. to 7:30 p.m. The North Mankato Police Chief has approved this application. Council Member Steiner moved, seconded by Council Member Norland, to approve the parade permit for the Community Education Recreation Department North Mankato Fun Days Kiddie Parade on Friday, July 6, 2007 from 6:15 p.m. to 7:30 p.m. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

**Parade Permit for North Mankato Civic & Commerce Fun Days Parade**

Clerk Gehrke presented the application for a parade permit for North Mankato Civic & Commerce to hold the North Mankato Fun Days Parade on Saturday, July 7, 2007 from 11 a.m. to 2 p.m. The North Mankato Police Chief has approved this application. Council Member Norland moved, seconded by Council Member DeWitte, to approve the North Mankato Civic & Commerce Fun Days Parade permit for Saturday, July 7, 2007. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

**Audio Permit for Neighborhood Block Party, 806 Garfield Avenue**

Clerk Gehrke presented a request from Jim May to use an audio device for a neighborhood block party at 806 Garfield Avenue from 4-7 p.m. on Saturday, June 23, 2007. Council Member Norland moved, seconded by Council Member DeWitte, to approve the audio permit for Jim May at 806 Garfield Avenue on Saturday, June 23, 2007. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

**Finance Director**

**Res. No. 52-07 Awarding Bid for Project No. 06-04AB, Carlson Drive/Rockford Road Utility Extension, Project No. 06-07ABCDEF, Burnett's Ravine Ridge No. 4 Improvements, and Project No. 06-08AB, Aspen Lane Lift Station**

Finance Director Mork reported bids were accepted on May 17, 2007 for Project No. 06-04AB, Carlson Drive/Rockford Road Utility Extension, Project No. 06-07ABCDEF, Burnett's Ravine Ridge No. 4 Improvements and Project No. 06-08AB, Aspen Lane Lift Station and ten bids were received. The engineer's estimate for this project was \$1,425,731. Cink Excavating was the low bidder for the bid amount of \$852,302.00. The City Engineer has reviewed the bids and staff is recommending award of the bid to the low bidder, Cink Excavating. Council Member Norland moved, seconded by

**Council Member Steiner, to adopt Resolution No. 52-07 Awarding Bid for Project No. 06-04AB, Carlson Drive/Rockford Road Utility Extension, Project No. 06-07ABCDEF, Burnett's Ravine Ridge No. 4 Improvements, and Project No. 06-07AB, Aspen Lane Lift Station to Cink Excavating for the bid amount of \$852,302.00. Vote on the Resolution: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

**Res. No. 53-07 Awarding Bid for Project No. 07-04DEF, 2007 Street Improvements**

Finance Director Mork reported bids were accepted on May 17, 2007 for Project No. 07-04 DEF, 2007 Street Improvements and three bids were received. The engineer's estimate for this project was \$684,703.95. Southern Minnesota Construction was the low bidder for the bid amount of \$576,210.53. The City Engineer has reviewed the bids and staff is recommending award of the bid to the low bidder, Southern Minnesota Construction. **Council Member DeWitte moved, seconded by Council Member Steiner, to adopt Resolution No. 53-07 Awarding Bid for Project No. 07-04 DEF, 2007 Street Improvements to Southern Minnesota Construction for the bid amount of \$576,210.53. Vote on the Resolution: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

**Adopt-a-Family Swim Passes**

Finance Director Mork gave an update of the Adopt-a-Family Swim Pass program which was created to provide an opportunity for less fortunate families to enjoy the use of the Spring Lake Park swim facility. To date contributions have been received for nine family passes and five passes have been issued. Since there is a continuing need for swim passes, anyone interested in donating a swim pass may send a check for \$36.00 to the City of North Mankato.

**Report from Council Members**

**Council Member Steiner**

Council Member Steiner reported the North Mankato Taylor Library Board met on May 16, 2007 and passed a resolution which will be forwarded to Nicollet County. The resolution calls for all residents of Nicollet County to be equally represented on the proposed Library Board and that membership of a Library Board should reflect the proportion of the population that resides within each jurisdiction and that representatives for the City of North Mankato shall reside within the corporate limits of the City of North Mankato. Council Member Steiner also reported the library continues to set records for circulation.

**Council Member Norland**

**Park & Green Spaces Committee Meeting of May 15, 2007**

Council Member Norland reported the first meeting of the Park & Green Spaces Committee was held on May 15, 2007 with 15 committee members in attendance. The members expressed their main interest and what they hope to accomplish. At the next meeting on May 29, 2007, sub-committees will be formed to work in different areas to best support and continue to build a world-class park and green spaces system for the City of North Mankato.

**Report from Mayor**

The Mayor suggested the Park & Green Spaces Committee provide information to residents with a column in the *City News & Views*.

The Mayor expressed his concern about vehicles in North Mankato running traffic lights. With summer break approaching, he asked all residents to use extra caution on the streets to ensure the safety of our children.

**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 Norland moved, seconded by Council Member Steiner to approve all bills and appropriations in the amount of \$196,893.40. Vote on the motion: DeWitte, Steiner, Norland 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 Steiner, seconded by Council Member Norland. Vote on the motion: DeWitte, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

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Mayor

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City Clerk