

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 November 19, 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, Schindle, Steiner and Norland, Administrator Sande, Finance Director Mork, Engineer Malm, Attorney Kennedy, Planner Fischer and City Clerk Gehrke.

Approval of Minutes

Council Member Schindle moved, seconded by Council Member DeWitte, to approve the minutes of the Council meeting of November 5, 2007 and the Council Workshop of November 5, 2007. Vote on the motion: DeWitte, Schindle, Steiner and Zellmer, aye; Norland abstained; no nays. Motion carried.

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Special Council meeting of November 13, 2007. Vote on the motion: Schindle, Steiner and Norland, aye; DeWitte and Zellmer abstained; no nays. Motion carried.

Correspondence

Thank-You Letter from VINE for Support of Summit Center

The Mayor presented a letter from VINE thanking the City for the generous contribution of \$12,000 to support the costs of providing services to older adults through the Summit Center.

Public Hearing, 7 p.m. – MS4 (Municipal Separate Storm Sewer System) Permit

Administrator Sande gave background information noting it is an annual requirement to hold a public hearing to receive comments on the City's Municipal Separate Storm Sewer System Permit (MS4) and reported a copy of the published notice of the public hearing was included in their packets. The Administrator reported the City recently received their MS4 permit effective November 15, 2007. Construction Inspector Marion Haayer addressed the Council reporting the MS4 Permit application was submitted on February 15, 2007 and includes measures for addressing the Storm Water Pollution Prevention Program (SWPPP). He outlined the six minimum control measures as follows: 1) Public education and outreach; 2) Public participation; 3) Illicit discharge detection and elimination; 4) Construction site storm water runoff control; 5) Post-construction storm water management in new development and redevelopment; and 6) Pollution prevention/good housekeeping for municipal operations. Discussion was held on the number of man hours required to implement the requirements of MS4 and the progress made with the number of ponds recently constructed. The Mayor opened the hearing to the public. With no one appearing before the Council, the Mayor closed this portion of the hearing.

Open the Meeting to the Public for the First Time Boy Scout Troop 29

Duane Rader, Scoutmaster for Boy Scout Troop 29, appeared before the Council and thanked the City for the generous donation of the air truck. Scoutmaster Rader reported Troop 29 is available to help the City with any projects. The Mayor thanked Troop 29 for their past assistance to the City. Approximately 30 members of Boy Scout Troop 29 were in attendance at the meeting.

Nicollet County Board Actions

Administrator Sande reported Nicollet County authorized the construction project at the Law Enforcement Center for the dispatch center at a cost of approximately \$300,000 with costs for staffing and operations approximately \$500,000 per year.

Staff Reports**City Planner****Minutes of the November 8, 2007 Planning Commission Meeting**

The Council accepted the minutes of the November 8, 2007 Planning Commission meeting.

Preliminary and Final Plat of Northport No. 10

Planner Fischer presented a request from Burnett Properties and the North Mankato Port Authority to replat Lot 2, Block 3, Northport No. 5 and to plat land which is being annexed into the City limits for future industrial development. The preliminary and final plat of Northport No. 10 consists of two (2) lots for upcoming industrial development, Outlot A for future industrial development and Outlot B for future Highway 14 right-of-way improvements and the extension of Howard Drive West. The Planning Commission reviewed and recommended approval of the preliminary and final plat of Northport No. 10. **Council Member Steiner moved, seconded by Council Member Norland, to approve the preliminary and final plat of Northport No. 10. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Z-5-07, Request to Zone Northport No. 10 as M-2, Heavy Industrial

Planner Fischer presented a request from Burnett Properties and the North Mankato Port Authority to zone Northport No. 10 as M-2, Heavy Industrial. The zoning is necessary due to annexation of the property. Based on the intended use of the property and existing area zoning, an M-2 zoning classification is requested. Ziegler Mankato LLC is planning to construct a building on a portion of this site. The Planning Commission reviewed and recommended approval of Z-5-07. **Council Member Schindle moved, seconded by Council Member DeWitte, to adopt Ord. No. 15, Fourth Series, Zoning Northport No. 10 as M-2, Heavy Industrial. Vote on the Ordinance: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

City Administrator**Res. No. 94-07 Accepting Petition for Annexation and Setting Public Hearing for 7 p.m. on Monday, December 17, 2007 (Burnett Property – 30.13 Acres)**

Administrator Sande presented Resolution No. 94-07 accepting petition for annexation of part of Section 3, Township 108 North, Range 27 West, Burnett Property, and requested a public hearing be set to consider this annexation request. This 30.13-acre parcel is to be used for future heavy industrial development. The preliminary and final plat consists of two lots for upcoming industrial development, Outlot A for future industrial development and Outlot B for future Highway 14 right-of-way and the extension of Howard Drive West. Ziegler Mankato LLC is constructing a building on a portion of this site. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 94-07 accepting petition for annexation and setting a public hearing for 7 p.m. on Monday, December 17, 2007, 30.13 acres, Burnett Property. Vote on the Resolution: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Approval of Annual Towing Contract Rate Adjustment

Administrator Sande reported the Towing Service Agreement with Affordable Towing Company provides for an annual adjustment on December 1st of each year of the contract. The adjustment is based on the increase or decrease in the Consumer Price Index published by the Department of Labor. Based on the Consumer Price Index increase of 3.4% for the twelve-month period ending September 30, 2007, the towing charge rate will be adjusted from the current rate of \$50.00 per tow to the new rate of \$51.75 per tow. **Council Member DeWitte moved, seconded by Council Member Schindle, to approve the towing contract rate adjustment to \$51.75 per tow. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Authorize Bluff Park as a Dog Walking Park

In response to requests from citizens, Administrator Sande asked for the Council's consideration authorizing Bluff Park to be the second dog walking park in North Mankato. He reported Benson Park has been successful as a dog walking park with dog waste stations installed along the trail. Xcel Energy donated the dog waste stations for Benson Park and they have notified the City they would be willing to donate the dog waste stations for Bluff Park. **Council Member Steiner moved, seconded by Council Member Norland, to authorize Bluff Park as a dog walking park on a one-year trial basis effective January 1, 2008. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Amend Proposed Capital Improvement Plan, 2008-2012

Administrator Sande reported that upon inspection of Well No. 5, it was determined that it needed to be replaced. Staff is recommending a new well (Well No. 9) at a site to be determined. The proposed Capital Improvement Plan was amended to include Well No. 9 for a total projected cost of \$300,000. The Administrator estimated the cost of capping Well No. 5 to be approximately \$10,000-\$15,000. Some discussion was held about future uses of the Well No. 5 site to include a storage garage for public works vehicles.

Schools and Conferences

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

1. BCA Training & Development Workshop – Basic Fire/Arson Investigation, Oak Grove, February 11-14 for Police Captain.

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

City Clerk**Audio and Large Group Permit for Carlson Craft Company Picnic, Spring Lake Park**

Clerk Gehrke presented a request for an audio and large group permit for Carlson Craft to hold their company picnic at Spring Lake Park from 8 a.m. to 8 p.m. on Sunday, September 14, 2008. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the audio and large group permit for Carlson Craft to hold their company picnic at Spring Lake Park from 8 a.m. to 8 p.m. on Sunday, September 14, 2008. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Finance Director**Res. No. 95-07 Declaring Costs to be Assessed for Municipal Charges – 430 Wheeler Avenue**

Finance Director Mork presented Resolution No. 95-07 for costs to be assessed in the amount of \$171.00 for curb box repair at 430 Wheeler Avenue. **Council Member DeWitte moved, seconded by Council Member Steiner, to adopt Resolution No. 95-07 Declaring Costs to be Assessed for Municipal Charges at 430 Wheeler Avenue. Vote on the Resolution: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Res. No. 96-07 Approving Consent Assessment Agreement and Deferral Agreement – 303 Nicollet Avenue

Finance Director Mork presented the Consent Assessment Agreement for 303 Nicollet Avenue in the amount of \$9,225.49 for replacement of water and sewer services. The resident at this address is a senior citizen and has made application for deferral of these special assessments until the property is sold. **Council Member Norland moved, seconded by Council Member Schindle, to adopt Resolution No. 96-07 Approving Consent Assessment Agreement and Deferral Agreement for replacement of water and sewer services at 303 Nicollet Avenue. Vote on the Resolution: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Report from Council Members**Council Member Schindle****Minutes from November 16, 2007 Traffic & Safety Committee Meeting**

Council Member Schindle requested Planner Fischer present the summary of the November 16, 2007 Traffic & Safety Committee meeting. Planner Fischer reported the Traffic & Safety Committee recommended the installation of a handicapped parking space on Cross Street to accommodate future building occupancy by the Sioux Trail Mental Health Center with review of the presence of the handicapped space at the time the Center is no longer a tenant in the applicant's building. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the installation of a handicapped parking space on Cross Street to accommodate the occupancy by Sioux Trail Mental Health Center with review of the presence of the handicapped space at the time the Center is no longer a tenant in the building. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Council Member Steiner**River Valley Library Foundation Grant**

Council Member Steiner reported the North Mankato Taylor Library received a grant from the River Valley Library Foundation in the amount of \$29,700 for downloadable audio books, online databases, a laptop computer for remote circulation and money for materials. Bags with flannel boards are being purchased for story hour with a portion of the money for materials.

Council Member Norland

Council Member Norland reminded the public that the Park & Green Spaces Committee will make their presentation of recommendations from 6:30 p.m. to 7:30 p.m. on Tuesday, November 20, 2007.

Report from Mayor

The Mayor reported he was at the capitol last week and over the past two weeks has met with all the Legislative leaders and no special session will be held this year. The Mayor also reported Local Government Aid may not be included in the tax bill in 2008.

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 DeWitte moved, seconded by Council Member Norland, to approve all bills and appropriations in the amount of \$501,017.26. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 7:53 p.m. on a motion by Council Member Steiner, seconded by Council Member Norland. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

Mayor

City Clerk