

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 October 15, 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 Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of October 1, 2007 and the Council Workshop of October 1, 2007. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

Correspondence

Lite-A-Tike Safety Week Proclamation

The Mayor read a proclamation declaring the week of October 21-27, 2007 as Lite-A-Tike Safety Week and thanked the Walter H. Strand VFW Post 950, its Ladies Auxiliary and police officers from Mankato and North Mankato for their work on this project.

Thank-You Letter from Rainforest Action Network

The Mayor read a letter from Rainforest Action Network thanking the North Mankato Taylor Library for their donation to the Protect-an-Acre Program. He reported this donation was made from pennies collected as part of the Library's Zoo-to-You Program.

Governor's Letter to the Legislative Advisory Commission

The Mayor summarized the Governor's letter to the Legislative Advisory Commission requesting consideration of an increase to the Minnesota Department of Transportation's appropriation authority for FY 2008 by \$195 million. This will give the State of Minnesota sufficient appropriation authority for both the I-35W bridge project and to continue FY 2008 projects planned prior to the bridge collapse.

Res. No. 85-07 Opposing Delays in Transportation Projects and Diversion of Funds from U.S. Highway 14

Mayor Zellmer read Resolution No. 85-07 opposing delays in transportation projects and diversion of funds from U.S. Highway 14 and reported this resolution will be sent to the Governor and the eight members of the Legislative Advisory Commission. **Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 85-07 Opposing Delays in Transportation Projects and Diversion of Funds from U.S. Highway 14. Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Open the Meeting to the Public for the First Time Curt Zupfer, 957 Belvista Drive

Curt Zupfer, 957 Belvista Drive, appeared before the Council and expressed his concern about rising real estate taxes.

Nicollet County Board Actions

Finance Director Mork reported the Nicollet County Board of Commissioners' minutes reflected a county library contract is under review for the City of St. Peter to run a library out of the Nicollet Schools.

Staff Reports**City Planner****Minutes of October 11, 2007 Planning Commission Meeting**

The Council accepted the minutes of the October 11, 2007 Planning Commission meeting.

Preliminary and Final Plat of South Central Service Cooperative Subdivision

Planner Fischer presented a request from the South Central Service Cooperative to replat Lot 1, Block 1, North Port No. 5. The applicants are in the process of constructing a new office building and have recently begun an addition to the building to be eventually owned by School District 77 to be used as office space for the Early Childhood Family Education Program. The School District would own part of the building on Lot 2 and the applicants would own Lot 1. Both parties will enter into an agreement on the shared use of the parking lot. The Planning Commission reviewed and recommended approval of the preliminary and final plat of South Central Service Cooperative Subdivision. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the preliminary and final plat of South Central Service Cooperative Subdivision. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

City Administrator**Set Public Hearing for Five-Year Capital Improvement Plan for 7 p.m. on Monday, December 3, 2007**

Council Member Norland moved, seconded by Council Member Steiner, to set a public hearing for the Five-Year Capital Improvement Plan for 7 p.m. on Monday, December 3, 2007. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

Approve Quotation for Materials for Park Pavilion at Reserve Park

Administrator Sande reported staff has been working with KWS, LLC regarding construction of a shelter at Reserve Park. A quotation from Lloyd Lumber for materials necessary to construct the proposed shelter at Reserve Park, including Certainteed shingles with a promotional discount for using their product, totals \$18,107.78. The City will also incur the cost of the concrete for the footings and slab. The total cost of the shelter materials should approximate the original estimate of \$22,000. Construction of the facility will be completed by the building contractors associated with The Reserve project. **Council Member Steiner moved, seconded by Council Member Norland, to approve the quotation for materials for the shelter at Reserve Park. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Approve Additional Special Assessment for Landscaping at The Reserve

Administrator Sande presented a letter from KWS, LLC requesting approval for landscaping in The Reserve subdivision. Portions of this work were in the original construction contract but were eliminated in favor of the current proposals from Countryside Landscaping in

the amount of \$42,725 for trees and shrubs and from Shades of Green Landscaping in the amount of \$26,094.80 for shrubs, mulching, boulder outcroppings and two fountains for the pond. The developers have agreed to an adjustment in the special assessments for the subdivision to cover these expenditures. The Council requested an updated landscaping plan and a cost estimate for maintaining the fountains in the pond. **Council Member Norland moved, seconded by Council Member Steiner, to approve the additional special assessment for landscaping at The Reserve. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Res. No. 86-07 Ordering Feasibility Report for Project No. 08-02ABCDEF, Pierce Avenue Rehabilitation from Cross Street to Center Street and Rehabilitation of Bennett Street

Administrator Sande reported the infrastructure rehabilitation of the 400 Block of Pierce Avenue from Cross Street to Center Street and Bennett Street is proposed for 2008 in the Five-Year Capital Improvement Plan. As the estimated cost of improvements for each project is approximately \$300,000, the improvements should be combined into one project for possible economies of scale. **Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 86-07 Ordering Feasibility Report for Project No. 08-02ABCDEF, Pierce Avenue from Cross Street to Center Street and Bennett Street Rehabilitation. Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Res. No. 87-07 Approving 2007 Budget Amendments

Administrator Sande reported upon review of the financial results of operation through the first nine months of FY 2007, it is necessary to make certain budgetary adjustments to account for unforeseen expenditures. An increase in the authorized expenditure level of \$48,500 is necessary in the General Fund: \$24,500 for increased cost of gasoline and diesel fuel, \$20,000 for concrete and asphalt and \$14,000 for additional sand and salt for winter ice control. This is a 1.00% increase in the General Fund Expenditure Budget and will be offset by the projected increase in revenues in the General Fund which will exceed budget by at least 1.00%. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 87-07 Approving 2007 Budget Amendments. Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Set Public Meeting for MS4 (Municipal Separate Storm Sewer System) Permit for 7 p.m. on Monday November 19, 2007

Administrator Sande reported as part of the MS4 requirements it is necessary to hold an annual public meeting to receive comments or questions about the City's Storm Water Pollution Prevention Plan, stormwater management, or erosion and sediment control practices. **Council Member Steiner moved, seconded by Council Member Norland, to set a MS4 Permit public meeting for 7 p.m. on Monday, November 19, 2007. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Report on Signage for Calendar Parking

In response to a request from the Council regarding the implementation cost for calendar parking, Administrator Sande presented a cost summary in the amount of \$5,360 for signage and posts. Discussion was held on the merits of calendar parking versus calling snow emergencies. The Council requested staff review and report to the Council the streets best served by calendar

parking. The Council also requested the City Planner check on the availability of an intern to be hired to review the off-street parking status at rental units.

City Clerk

Application for Off-Sale Intoxicating Liquor, Cigarette and Soft Drink Licenses, Webster's Ale, 1105 Range Street

Clerk Gehrke presented an application for off-sale intoxicating liquor, cigarette and soft drink licenses for Webster's Ale, 1105 Range Street for the period of January 1, 2008 through December 31, 2008. After completing the background investigation, the Police Chief recommended approval of the application. Administrator Sande reported this is the location of the former AMOCO Station. Discussion was held on removal of the underground storage tanks. Clerk Gehrke will contact the owners of the property to determine the status of the underground storage tanks. **Council Member Steiner moved, seconded by Council Member Schindle, to approve the off-sale intoxicating liquor, cigarette and soft drink licenses for Webster's Ale, 1105 Range Street. Vote on the motion: DeWitte, Schindle, Steiner and Zellmer, aye; Norland nay. Motion carried.**

Finance Director

Res. No. 88-07 Adopting Assessment for Project No. 06-01ABCDEF, Timm Road

Finance Director Mork presented Resolution No. 88-07 and the assessment roll for Project No. 06-01ABCDEF, Timm Road. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 88-07 Adopting Assessment for Project No. 06-01ABCDEF, Timm Road. Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; 0 nays. Motion carried.**

Res. No. 89-07 Adopting Assessment for Project No. 06-06ABCDEF, Burnett's Ravine Ridge No. 3 and Project No. 06-07ABCDEF, Burnett's Ravine Ridge No. 4

Finance Director Mork presented Resolution No. 89-07 and the assessment rolls for Project No 06-06ABCDEF, Burnett's Ravine Ridge No. 3 and Project No. 06-07ABCDEF, Burnett's Ravine Ridge No. 4. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 89-07 Adopting Assessment for Project No. 06-06ABCDEF, Burnett's Ravine Ridge No. 3 and Project No. 06-07ABCDEF, Burnett's Ravine Ridge No. 4. Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Res. No. 90-07 Adopting Assessment for Project No. 07-01ABCDEF, The Landing North – Phase I (Renamed The Reserve)

Finance Director Mork presented Resolution No. 90-07 and the assessment roll for Project No. 07-01ABCDEF, The Land North – Phase I (renamed The Reserve). The Finance Director reported this assessment roll is for the first phase of the improvements only. **Council Member Schindle moved, seconded by Council Member DeWitte, to adopt Resolution No. 90-07 Adopting Assessment for Project No. 07-01ABCDEF, The Landing North – Phase I (Renamed the Reserve). Vote on the Resolution: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

The Council requested that a formal assessment policy be considered relating to street assessments on existing roads for future subdivisions. This item will be added to a Council Workshop agenda.

Report from Council Members**Council Member Schindle****Traffic & Safety Committee Report – Four-way “STOP” at LorRay Drive/Carlson Drive**

Planner Fischer presented traffic accident and speed information for the LorRay Drive/Carlson Drive intersection as requested by the Council at their October 1, 2007 Council meeting. From 2000 to July of 2007, there were two (2) minor accidents that occurred at this intersection. Using the Police Department speed trailer in this area from October 2 to October 9, 2007 documented 18,189 vehicles traveling northbound on LorRay Drive near the Carlson Drive intersection. According to data gathered by the speed trailer, the average speed of traffic was 30.52 mph. **Council Member Steiner moved, seconded by Council Member DeWitte, to direct staff to continue monitoring and reviewing the traffic and speed at the LorRay Drive/Carlson Drive intersection. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.**

Report from Mayor

The Mayor, along with four other CGMC Mayors, met with House Speaker Kelliher on Monday, October 8, 2007.

The Mayor reported he and Mankato Mayor Brady spoke at the YWCA Luncheon Series on Tuesday, October 9, 2007 and gave updates on the Cities of North Mankato and Mankato.

The meeting scheduled for October 17, 2007 with Mayors and the House Minority Leader Seifert has been postponed until a later date.

The Mayor reported he attended a football game at Gustavus Adolphus College. He congratulated the college for having one of the top Division 3 stadiums in the country.

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 \$351,343.48. 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 8:29 p.m. on a motion by Council Member Steiner, seconded by Council Member Norland. Vote on the motion: Norland, DeWitte, Schindle, Steiner and Zellmer, aye; no nays. Motion carried.

Mayor

City Clerk