

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 September 17, 2007. Mayor Zellmer called the meeting to order at 8:00 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 Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of September 4, 2007 and the Council Workshop of September 4, 2007. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

Correspondence

Board of Peace Officer Standards and Training Certificate

Administrator Sande reported the State of Minnesota Board of Peace Officer Standards & Training presented a certificate to the North Mankato Police Department in recognition of compliance with legislative mandates and POST Board rules.

Open the Meeting to the Public for the First Time

Tracy Malm, 11 Camden Court – Water Park Petition

Tracy Malm, 11 Camden Court, appeared before the Council and presented a petition signed by 112 residents asking the Council to give serious, thoughtful consideration of constructing a water park in North Mankato. Ms. Malm gave a presentation outlining the cost and projected revenues and expenses for a similar water park recently constructed in Waseca. **Council Member Norland moved, seconded by Council Member Steiner, to accept the petition, place it on file and authorize staff to conduct additional research regarding water parks and to include water parks in discussions of the Five-Year Capital Improvement Plan. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Jonathan Zierdt, Greater Mankato Growth, Inc.

Jonathan Zierdt, Greater Mankato Growth, Inc., appeared before the Council to ask their consideration and endorsement of the merger between the Greater Mankato Chamber of Commerce and the Greater Mankato Economic Development Corporation. The merger has been approved by both Boards and overwhelmingly approved by members of both organizations. The Convention & Visitor's Bureau division of the Chamber will not be directly integrated into the new organization but instead will be operated in a separate legal entity. Mayor Zellmer reported he and the City Administrator met with principal partners of the two entities and the concerns of the City were addressed and the City of North Mankato has signed the Letter of Understanding. Council Member Norland expressed her disappointment regarding the number of women who were selected for the new Board of the combined entity. Jerry Crest appeared before the Council to address this issue responding the gender equity issue would be considered at a future date.

Res. No. 81-07 Amending Joint Services Agreement

Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 81-07 Amending that certain Joint Services Agreement dated March 5, 2007 by and between the Cities of Mankato and North Mankato Contracting with Greater

Mankato Economic Development Corporation (GMEDC) for certain services. Vote on the Resolution: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

Public Hearing, 8 p.m. – Annexation of Belgrade Township Road 121, 6.88 Acres

The Mayor opened the public hearing to consider the annexation of Belgrade Township Road 121, 6.88 acres by agreement with Belgrade Township. Discussion was held on the timing of the annexation of this road, the cost for maintenance of the roadway and jurisdiction of the levy. Administrator Sande reported a portion of this road abuts the new subdivision known as The Reserve and the City will designate this as an MSA route for improvements. Jason Hiniker, 38457 512th Street, appeared before the Council and asked if the snow would be cleared on a regular basis. Administrator Sande responded this road would be included in the regular snowplowing schedule. There being no one else appearing before the Council, the Mayor closed this portion of the meeting.

Ord No. 13, Fourth Series, Annexation of Belgrade Township Road 121, 6.88 Acres

Council Member Steiner moved, seconded by Council Member DeWitte, to adopt Ord. No. 13, Fourth Series, Annexing 6.88 Acres, Belgrade Township Road 121. Vote on the Ordinance: DeWitte, Steiner, Norland and Zellmer, aye; Schindle nay. Motion carried.

Nicollet County Board Actions

Administrator Sande reported Nicollet County has set their 2008 preliminary tax levy at an increase of 9.75%.

Nicollet County authorized the Nicollet County Sheriff to accept a grant from the State of Minnesota in the amount of \$60,000 for a radio study grant in the Counties of Blue Earth and Nicollet County jointly.

Administrator Sande reported Roger Guenette and Ed Tschida from Advance Resources for Development, Inc. appeared before the Nicollet County Board to provide information regarding a proposed child care facility in North Mankato and requested tax abatements for funding site development costs for a proposed facility.

Staff Reports

City Planner

Minutes of September 13, 2007 Planning Commission Meeting

The Council accepted the minutes of the September 13, 2007 Planning Commission meeting.

Preliminary and Final Plat of Three Eagles Addition

Planner Fischer presented a request from Three Eagles of Lincoln, Inc. to replat the F. B. Clements Addition. This request is the result of an ownership change and to eliminate a non-conforming use. The proposed plat consists of three lots to accommodate the station building, open space and the radio tower site. Attorney Kennedy provided an overview of the intent of the proposed plat and non-conforming uses. The Planning Commission recommended approval of the preliminary and final plat of Three Eagles Addition. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the preliminary and final plat of Three**

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

Z-4-07, Request to Rezone Lot 3, Block 1, Three Eagles Addition from R-1 to I-1

Planner Fischer presented a request from Three Eagles of Lincoln, Inc. to rezone Lot 3, Block 1, Three Eagles Addition from R-1, One-Family Dwelling to I-1, Planned Industrial to eliminate the non-conforming use status of the existing radio tower on the property. The Planning Commission recommended approval of Z-4-07. **Council Member Schindle moved, seconded by Council Member Norland, to adopt Ord. No. 14, Fourth Series, Re-zoning of Lot 3, Block 1, Three Eagles Addition from R-1, One-Family Dwelling to I-1, Planned Industrial. Vote on the Ordinance: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

City Administrator

LELS Police Union Contract 2008-2010

Administrator Sande reported an agreement with Law Enforcement Labor Services Local No. 305 has been reached for a collective bargaining agreement covering the period January 1, 2008 through December 31, 2010. Terms of the Agreement include a 3.00% salary increase for the years 2008, 2009 and 2010 subject to adjustment if the average annual increase granted to all other municipal employees exceeded 3.00%; the uniform allowance increased \$2 per month in 2008 to \$32 per month for purchase/maintenance and \$2 per month in 2010 to \$34 for purchase/maintenance; the vacation and sick leave provisions were amended to conform with the City of North Mankato Personnel Rules & Regulations; clarifications were made to the physical fitness language; and all other provisions remain unchanged. **Council Member Steiner moved, seconded by Council Member Norland, to approve the LELS Police Union Contract 2008-2010. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Approval of Quotation for Maintenance of Well No. 5

Administrator Sande presented a recap of the quotations received for inspection and maintenance of Well No. 5. Many aspects of the quotation were taken on a per foot basis since this well is held in reserve and should not have a great deal of wear. The Public Works Director reviewed the quotations and recommends accepting the low quote from Their Well Company in an amount not to exceed \$15,721. **Council Member Schindle moved, seconded by Council Member Steiner, to approve the low quotation from Their Well Company in an amount not to exceed \$15,721. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Request from VINE for Contribution to Summit Center

Administrator Sande presented a letter from VINE who is the fiscal entity responsible for managing the Summit Center. VINE is requesting the release of the 2007 budgeted contribution for the Summit Center in the amount of \$12,000. **Council Member Steiner moved, seconded by Council Member Norland, to release the 2007 budgeted contribution of \$12,000 for the Summit Center to VINE. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

2007 Swimming Facility Report

Administrator Sande presented the 2007 Swimming Facility Report stating total income from the previous year increased nearly \$3,500 with 20 more open full days because of the weather. Work is continuing on the swimming facility and the water clarity has improved with the upgrades made to the circulation system.

Donation from Kato Engineering

Administrator Sande reported Kato Engineering donated \$10,000 to the Police Department. Earlier this year Kato Engineering made a \$10,000 donation to the Fire Department which has been allocated to equipping the new Joint Air Truck. Police Chief Pulis recommends the purchase of upgraded vests for the tactical response team utilizing the funds donated by Kato Engineering. **Council Member Norland moved, seconded by Council Member Steiner, to approve using the \$10,000 Kato Engineering donation for the purchase of the upgraded tactical vests. Vote on the motion: DeWitte, Schindle, Steiner, Norland 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. Elizabeth Kearney Women's Leadership Development Program, Mankato, September 2007-June 2008, for City Clerk.
2. Fall Water Collection Systems Workshop, Owatonna, September 19, for one Water Serviceman.
3. MN Library Association 2007 Conference, Mankato, October 25-26, for Library Director and one Assistant Librarian.

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

Finance Director**Deferred Compensation Plan Optional Provision**

Finance Director Mork reported under the federal government pension protection provision, the City of North Mankato's deferred compensation plan, ICMA, is offering an option whereby, with Council approval, retired public safety officers can make tax-free withdrawals of up to \$3,000 annually for the payment of qualifying insurance premiums. **Council Member Steiner moved, seconded by Council Member DeWitte, to approve the Deferred Compensation Plan Optional Provision for retired public safety officers allowing tax-free withdrawals of up to \$3,000 annually for the payment of qualifying insurance premiums. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

Report from Council Members**Council Member Schindle**

Council Member Schindle asked about the procedure for licensing of solicitors, especially as it relates to Boy Scouts and Girl Scouts. Administrator Sande reported that school children are exempt from the licensing regulations, Boy Scouts and Girl Scouts are issued one

license at no fee for the entire group and asked to wear their uniforms when going door-to-door and all other solicitors are licensed according to the City Code.

Report from Mayor

Resolution No. 82-07 Making Appointment to North Mankato Taylor Library Board

Mayor Zellmer reported a vacancy exists on the North Mankato Taylor Library Board and recommended the appointment of Kristin Woizeschke to fill this position. **Council Member Schindle moved, seconded by Council Member Steiner, to adopt Resolution No. 82-07 Making Appointment of Kristin Woizeschke to the North Mankato Taylor Library Board effective September 17, 2007 through December 31, 2009. Vote on the Resolution: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.**

The Mayor reported he attended the groundbreaking ceremony for the Evangelical Covenant Church on Sunday, September 16, 2007.

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 amount of \$254,260.28. 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 9:23 p.m. on a motion by Council Member Schindle, seconded by Council Member Norland. Vote on the motion: DeWitte, Schindle, Steiner, Norland and Zellmer, aye; no nays. Motion carried.

Mayor

City Clerk