

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 4, 2010. Mayor Zellmer called the meeting to order at 7:05 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for the meeting, Mayor Zellmer, Council Members Schindle, Steiner and DeWitte, Administrator Sande, Finance Director Mork, Attorney Kennedy, Engineer Malm, Planner Fischer and City Clerk Gehrke. Absent: Council Member Norland.

### **Approval of Minutes**

**Council Member DeWitte moved, seconded by Council Member Schindle, to approve the minutes of the Council Workshop of September 20, 2010 and the Council meeting of September 20, 2010. Vote on the motion: Schindle, DeWitte and Zellmer, aye; Steiner abstained; no nays. Motion carried.**

### **Correspondence**

#### **Thank-You Letter from Benjamin Sears, SCC Scholarship Recipient**

Mayor Zellmer read a letter from Benjamin Sears thanking the City for the \$600 scholarship for his studies at South Central College.

#### **Thank-You Letter from North Mankato Horseshoe Club**

Mayor Zellmer read a letter from the North Mankato Horseshoe Club thanking the City for the manpower and supplies reporting this helped make the Minnesota State Horseshoe Tournament a successful event. Mayor Zellmer suggested the City consider future sponsorship of this event with the help of the Sports Institute.

#### **Thank-You Letter from Immanuel St. Joseph's Mayo Health System**

The Mayor read a letter from Sarah Daniels of the Immanuel St. Joseph's Mayo Health System Recognition Committee thanking the City for its contribution to their annual employee and family picnic which was held at Wheeler Park. She reported more than 1,750 people attended the event and many favorable comments were received.

### **Rate Increases for Charter Communications**

Administrator Sande reported as part of the franchise agreement with Charter Communications they are required to notify the City of any rate changes. Notification was received that wire maintenance will increase from \$3.00 to \$4.99 and phone directory assistance will increase from \$1.79 to \$1.99 effective November 1, 2010.

### **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.

### **Public Hearing, 7 p.m. – Vacation of Utility Easements, Coventry Heights**

The Mayor opened the public hearing to consider the vacation of utility easements in Coventry Heights. Planner Fisher presented a Notice of Hearing and Affidavit of Publication reporting the owner reconfigured lots in Coventry Heights and requested vacation of two utility easements. With no one appearing before the Council, the Mayor closed this portion of the meeting. **Council Member Schindle moved, seconded by Council Member DeWitte, to adopt Resolution No. 62-10 Vacating Utility Easements, Coventry Heights. Vote on the Resolution: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.**

**City Planner****Set Public Hearing for Vacation of Lake Street Right-of-Way**

Planner Fischer presented a Petition for Vacation and Notice of Hearing along with a map outlining the portion of the Lake Street right-of-way requested to be vacated. He reported the new owners of the property at 601 Lake Street recently had the property surveyed. The survey found a portion of the property owner's fence and landscaping in the Lake Street right-of-way. This right-of-way was not vacated when Lake Street was realigned several years ago. **Council Member Steiner moved, seconded by Council Member Schindle, to set a public hearing for 7 p.m. on Monday, November 1, 2010 to consider vacation of a portion of the Lake Street right-of-way. Vote on the motion: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.**

**City Administrator****Res. No. 63-10 Awarding Bid for Project No. 10-01ABCDEF, CSAH 41/Carlson Drive/Howard Drive Improvements**

Administrator Sande reported bids were accepted at 11 a.m. on Wednesday, September 29, 2010 for Project No. 10-01ABCDEF, CSAH 41/Carlson Drive/Howard Drive Improvements and five bids were received. The original engineer's estimate for the project was \$5.9 million with the final estimate at \$5,064,066.20. Hoffman Construction Company, Black River Falls, Wisconsin, was the low bidder in the amount of \$5,587,982.47. Administrator Sande reported this project would be funded with MSA and federal ATP funds, County bonding and special assessments to benefitting property owners. A breakdown of funding sources will be prepared for the Council. **Council Member Steiner moved, seconded by Council Member DeWitte, to adopt Resolution No. 63-10 Awarding Bid for Project No. 10-01ABCDEF, CSAH 41/Carlson Drive/Howard Drive Improvements, to the low bidder, Hoffman Construction Company in the bid amount of \$5,587,982.47. Vote on the Resolution: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.**

**City Clerk****Res. No. 64-10 Waiving Waiting Period for Exemption for Lawful Gambling License for Holy Rosary Church**

Clerk Gehrke presented an application for exemption from lawful gambling for Holy Rosary Church to conduct raffles at 546 Grant Avenue on November 26, 2010. **Council Member Schindle moved, seconded by Council Member DeWitte, to adopt Resolution No. 64-10 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church to conduct raffles on November 26, 2010. Vote on the Resolution: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.**

**Parade Permit for 5K Run/Walk Campus Kitchen Fundraiser, Benson Park, 8-11 a.m. on Saturday, November 13, 2010**

Clerk Gehrke presented the application for a parade permit to hold the 5K Run/Walk Campus Kitchen Fundraiser to be held at Benson Park from 8 a.m. to 11 a.m. on Saturday, November 13, 2010. The Council requested the trails in Benson Park be swept prior to the 5K run/walk. **Council Member Schindle moved, seconded by Council Member DeWitte, to approve the parade permit for the 5K Run/Walk Campus Kitchen Fundraiser at Benson Park from 8 a.m. to 11 a.m. on Saturday, November 13, 2010. Vote on the motion: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.**

**Finance Director**

**2011 Levy**

Finance Director Mork reported that, after conferring with the Minnesota Department of Revenue, the City will not see a reduction in Market Value Credit in 2011 and therefore the \$228,659 levy to replace this aid included in the preliminary levy certification is not needed. He will adjust the proposed General Fund Levy so that the total levy for 2011 will equal the 2010 levy.

**Report from Council Members**

**Council Member Schindle**

Council Member Schindle asked if the brush could be cleared away at the Lookout Drive lookout area for better viewing.

Council Member Schindle requested a review of the bond issues. The Finance Director will be finalizing the list of bond issues this week.

**Council Member Steiner**

Council Member Steiner reported he attended the open house on Sunday, October 3, 2010 for the new funeral facility in North Mankato and congratulated the owners on this impressive addition to the community.

**Council Member DeWitte**

Council Member DeWitte reported he met with the Kato Community Club and spoke about ongoing development in North Mankato.

Council Member DeWitte reported he also attended the open house on Sunday, October 3, 2010 for the new funeral facility in North Mankato.

**Report from Mayor**

Mayor Zellmer thanked the City staff for the successful fall drop-off. Discussion was held regarding the 2011 spring and fall special services weeks. It is anticipated the spring special services week will be curbside.

The Mayor reported he spoke at the Katoland Connection homecoming event on Friday, September 24, 2010 at the Best Western.

**Open the Meeting to the Public for the Second Time**

**Kim Spears, 916 South Avenue**

Kim Spears, 916 South Avenue, appeared before the Council and stated his opposition to money being spent for a bike trail.

**Bills and Appropriations**

**Council Member DeWitte moved, seconded by Council Member Steiner, to approve all bills and appropriations in the amounts of \$30,193.83 and \$247,609.02. Vote on the motion: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.**

There being no further business, the meeting was adjourned at 7:49 p.m. on a motion by Council Member Steiner, seconded by Council Member DeWitte. Vote on the motion: Schindle, Steiner, DeWitte and Zellmer, aye; no nays. Motion carried.

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Mayor

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City Clerk