

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 September 16, 2013. Mayor Dehen 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 Dehen, Council Members Norland, Freyberg, Spears and Steiner, City Administrator Harrenstein, Finance Director Thorne, City Clerk Gehrke, Attorney Kennedy, Planner Fischer, Public Works Director Swanson and Engineers Malm and Sarff.

**Approval of Agenda**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the agenda as presented. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

**Approval of Minutes**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of September 3, 2013. Vote on the motion: Norland, Spears, Steiner and Dehen, aye; Freyberg abstained, no nays. Motion carried.**

**Consent Agenda**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the Consent Agenda which includes:**

- A. Bills and Appropriations.
- B. Resolution No. 56-13 Approving Donations/Contributions/Grants.
- C. Resolution No. 57-13 Approving Donations/Contributions/Grants.
- D. Audio Permit for NaKato Bar & Grill, Range Street to Alley, Friday, September 27, 2013 from 4-10 p.m.
- E. Res. No. 58-13 Declaring Surplus Vehicles and Equipment.

**Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.** Mayor Dehen noted the grant awarded from the Carl and Verna Schmidt Foundation in the amount of \$15,000 for the bookmobile. He thanked everyone who made donations.

**Public Comments**

**Scott Madigan, 1546 Tower Boulevard**

Scott Madigan, 1546 Tower Boulevard, appeared before the Council and expressed his concern the proposed apartment building at the corner of Tower Boulevard and Marie Lane would create more traffic and lower property values in the area.

**Richard Makela, 1911 Marie Lane**

Richard Makela, 1911 Marie Lane, appeared before the Council and expressed his concern about the proposed apartment building and the increase in traffic considering the number of children who walk home from Hoover School in this area.

**Business Items:**

**Preliminary and Final Plat of Oak Terrace Assisted Living of North Mankato**

Planner Fischer presented a request from Oak Terrace Assisted Living of North Mankato to replat part of Section 11-108-27 as Lot 1, Block 1, Oak Terrace Assisted Living of North Mankato, for the purpose of constructing a 3-story, 46-unit apartment complex at the intersection of Marie Lane and Tower Boulevard. He reported Mick Montag, representing Oak Terrace Assisted Living of North

Mankato, was in attendance at the meeting to answer questions. The Planner summarized the platting requirement in the R-4, Multiple Dwelling district whereby platting would be subject to Section 156.041 of the City Code. He reported the proposed 46-unit apartment complex meets or exceeds all requirements in an R-4, Multiple Dwelling zoning district. The Planning Commission reviewed and recommended approval of the preliminary and final plat of Oak Terrace Assisted Living of North Mankato. Council Member Spears asked if any variances would be necessary for this project and Planner Fischer reported no variances would be required. Attorney Kennedy reported that the applicant currently operates an assisted living facility in this area and an assisted living facility is allowable in an R-4 zoning district. The applicant is completing a market study which will dictate the exact market he will pursue for the project. **Council Member Norland moved, seconded by Council Member Steiner, to approve the preliminary and final plat of Oak Terrace Assisted Living of North Mankato. Vote on the motion: Norland, Spears, Steiner and Dehen, aye; Freyberg abstained; no nays. Motion carried.**

**Z-4-13, Request to Rezone Lot 1, Block 1, Oak Terrace Assisted Living of North Mankato from I-1, Planned Industrial to R-4, Multiple Dwelling**

Planner Fischer presented a request from Oak Terrace Assisted Living of North Mankato to rezone Lot 1, Block 1, Oak Terrace Assisted Living from I-1, Planned Industrial, to R-4, Multiple Dwelling, to accommodate the construction of a 3-story, 46-unit apartment complex. The Planning Commission reviewed and recommended approval of Z-4-13.

**Ord. No. 52, Fourth Series, Rezoning of Oak Terrace Assisted Living of North Mankato**

**Council Member Norland moved, seconded by Council Member Steiner, to adopt Ord. No. 52, Fourth Series, Rezoning Lot 1, Block 1, Oak Terrace Assisted Living of North Mankato, from I-1, Planned Industrial, to R-4, Multiple Dwelling. Vote on the Ordinance: Norland, Spears, Steiner and Dehen, aye; Freyberg abstained; no nays. Motion carried.**

**Res. No. 59-13 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment Roll for Project No. 10-01A-F, CSAH 41/Carlson Drive/Howard Drive Improvements**

Engineer Malm gave background information for Project No. 10-01A-F, CSAH 41/Carlson Drive/Howard Drive Improvements. He reported the City Council adopted a resolution ordering the improvements on September 7, 2010, construction began on the project in October 2010 and was substantially completed in the fall of 2012. The total cost of the project including construction, right-of-way, and engineering is \$8,447,438 with the City share of the project cost \$4,155,200, Nicollet County contributing \$3,056,238 and Federal Aid funding contributing \$1,236,000. Engineer Malm reported the next step in the project is to certify the Special Assessments to the benefiting properties. The proposed special assessments total \$4,105,532.79, with \$871,569.12 of that amount being deferred. The deferred amount of the special assessments is related to parcels that received benefit as a result of the connection of CSAH 41 to the new TH 14/CSAH 41 interchange, yet require additional roadway and City utility extensions to become developable. The assessments for those parcels will be deferred until the necessary roadway and utility extensions are completed and the parcels become developable. In addition to the deferred assessments to be certified as a part of this project, those parcels requiring additional roadway and City utility extensions to become fully developable would also be subject to future assessments related to those future projects. Engineer Malm presented a copy of the Assessment Roll for the project detailing the proposed assessments for each parcel. He reported that based on past land purchases and land sales in this area, property values have increased by \$30,000 per acre following construction of public improvements. For example, land has been

purchased at \$20,000 per acre prior to the installation of public improvements and later sold at a price of \$50,000 per acre after public improvements have been installed. This supports an assessment of \$30,000 per acre for the proposed project since the law states that the assessment must not be greater than the increase in property value resulting from the improvements. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Resolution No. 59-12 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment Roll for Project No. 10-01A-F, CSAH 41/Carlson Drive/ Howard Drive Improvements. Vote on the Resolution: Norland, Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

**Res. No. 60-13 Ordering Hearing for 7 p.m. on Monday, October 7, 2013 on Assessment for Project No. 10-01A-F, CSAH 41/Carlson Drive/Howard Drive Improvements**

Engineer Malm presented Resolution No. 60-13 ordering the assessment hearing for 7 p.m. on Monday, October 7, 2013 and directing the City Clerk to cause a Notice of Hearing on the proposed assessment to be published in the official newspaper and also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Resolution No. 60-13 Ordering Hearing on Proposed Assessment for Project No. 10-01ABCDEF, CSAH 41/Carlson Drive/Howard Drive Improvements for 7 p.m. on Monday, October 7, 2013. Vote on the Resolution: Norland, Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

**City Administrator and Staff Comments**

**Set Council Workshop for 6 p.m. on Monday, October 7, 2013**

Administrator Harrenstein requested the Council schedule a Council Workshop for 6 p.m. on Monday, October 7, 2013 to discuss the recommendation of future operation of the Riverbend Recycling Center and other items. **Council Member Steiner moved, seconded by Council Member Norland, to set a Council Workshop for 6 p.m. on Monday, October 7, 2013. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

**Mayor and Council Comments**

**Mayor**

The Mayor reported the next "Coffee with the Council" will be held from 10-11 a.m. on Saturday, September 21, 2013 at the North Mankato Taylor Library. A bike ride through lower North Mankato will begin at 11 a.m. for anyone interested.

**Council Member Freyberg**

Council Member Freyberg expressed his surprise at the number of paver bricks for sale on the surplus equipment list. Public Works Director Swanson reported that a large amount of the paver bricks were salvaged from the Caswell Park complex. Administrator Harrenstein reported that all funds from the sale of surplus vehicles and equipment would go into the Capital Equipment and Facilities Fund.

**Public Comments**

The Mayor opened the meeting to the public for the second time with no one appearing.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Spears, the meeting was adjourned at 7:25 p.m.

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Mayor

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City Clerk