

Pursuant to the due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on December 19, 2022. Mayor Dehen called the meeting to order at 7:00 pm, asking everyone to join the Pledge of Allegiance. The following were present for roll call: Council Members Norland, Oachs, Whitlock, Steiner, City Administrator McCann, Interim Finance Director Ryan, Community Development Director Fischer, City Planner Lasonde, and City Clerk Van Genderen.

**Approval of Agenda**

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

**Approval of Council Minutes from December 5, 2022, Council Meeting.**

**Council Member Oachs moved, seconded by Council Member Steiner, to approve the Council Meeting Minutes of December 5, 2022. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Approval of Council Work Session Minutes from December 12, 2022, Council Work Session.**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the Council Work Session Minutes of December 12, 2022. Vote on the motion Norland, Whitlock, Steiner, and Dehen aye, Oachs abstain, no nays. Motion carried.**

**Public Hearing, 7 pm Stormwater and Annual Stormwater Pollution Prevention Program.**

City Engineer Sarff reported that the Minnesota Pollution Control Agency (MPCA) administers the federal Clean Water Act requirements in addition to its own State Disposal System requirements. At the MPCA, the Stormwater Program includes three general stormwater permits, including the Municipal Separate Storm Sewer System (MS4) Permit. The MS4 Permit is designed to reduce the amount of sediment and pollution that enters surface and ground water from storm sewer systems to the maximum extent practicable. Because the City of North Mankato has a population greater than 10,000, it must comply with the MS4 permit requirements.

The City's MS4 permit requires the City to develop and maintain a stormwater pollution prevention program (SWPPP) that incorporates best management practices. The City is tasked with meeting six Minimum Control Measures: Public Education and Outreach on Stormwater Impacts, Public Participation and Involvement, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post Construction Stormwater Management, and Pollution control and Good Housekeeping for Municipal Operations. The tasks are an ongoing effort.

The Mayor closed the Public Hearing with no one appearing before the Council.

**Public Hearing, 7 pm Consider Amending City Code Chapter 151 and Adding Section 151.21: Water Meters.**

Community Development Director Fischer reported that Ordinance 154 would amend Chapter 151 concerning rentals in the City of North Mankato. The Ordinance would require all new and existing rental properties to install auto-read water meters before they receive a new or renewal rental license. The ordinance would require all rental properties in the lower North to convert before they receive their 2024 Rental License and all properties in the upper North to convert before they receive their 2025 Rental License.

Rob Vanderhoof, 1053 Center Street, appeared before Council and requested Council not pass the Ordinance.

Barb Church, 102 Wheeler Avenue, appeared before Council and expressed concerns about installing new water meters in old properties.

Tom Hagen, 927 Lake Street, appeared before Council and requested Council not pass the Ordinance and, if they do, consider splitting the cost with the owner.

Dan Engelhorn, 905 Sherman Street, appeared before Council and requested clarification on if the ordinance referred to both indoor and outdoor meters.

Rob Satternes, 506 Wheeler Avenue, appeared before Council and indicated he just recently purchased a rental and was concerned about the unexpected cost and requested the City consider splitting the cost.

With no one else appearing before Council, the Mayor closed the Public Hearing.

### **Consent Agenda**

**Council Member Norland moved, seconded by Council Member Oachs, to approve the Consent Agenda.**

- A. Bills and Appropriations.
- B. Res. No. 109-22 Approving Donations/Contributions/Grants.
- C. Res. No. 110-22 Setting Fees and Charges
- D. Approved the 2023 Library Purchase of Services Contract Between Nicollet County and the City of North Mankato.
- E. Approved the 2023 Bookmobile Purchase of Services Contract Between Nicollet County and the City of North Mankato.

**Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

### **Public Comments Concerning Business Items on the Agenda.**

Barb Church, 102 Wheeler Avenue, appeared before Council and stated the Council should not take any action except passing the budget because there will be new Council Members in 2023.

Tom Hagen, 927 Lake Street, appeared before Council and requested the Council not make any decisions because there will be new Council Members in 2023.

### **Business Items**

**Res. No. 111-22 Approving the General Fund Budget and Auxiliary Fund Budget for Fiscal Year 2023.**

City Administrator McCann reported that the budget resolution is an overview of all of the budget documents that the Council reviewed during the budgeting process. Council Member Oachs requested clarification on Other Functions. City Administrator McCann reported that it included contracts, memberships and associations, and the sculpture walk.

**Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Res. No. 111-22 Approving the General Fund Budget and Auxiliary Fund Budget for Fiscal Year 2023. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Res. No. 112-22 Approving the 2022 Tax Levy Collectible in 2023 (Option B).**

Interim Finance Director Ryan reported that three resolutions were presented, with one levy set at 9.5%, one at 8.8%, and one at 8.5%. Each would maintain the services requested, but the 8.8% and the 8.5% would require the City not to proceed with the Somerset Lane improvement project. Mayor Dehen stated that without a set development planned for the area, it may be wise to wait to proceed until 2024. The City has infill projects that could be completed before the Somerset Lane project is completed. Mayor Dehen suggested proceeding with the 8.8% levy or option 2. Council Member Steiner and Oachs agreed. Council Member Norland said the cost might increase if the City does not proceed.

**Council Member Steiner moved, seconded by Council Member Whitlock, to Adopt Res. No. 112-22 B Approving the 2022 Tax Levy Collectible in 2023. Vote on the motion Oachs, Whitlock, Steiner, and Dehen aye, Norland nay. Motion carried.**

**Res. No. 113-22 Approving the Capital Improvement Plan 2023-2027.**

**Council Member Steiner moved, seconded by Council Member Norland, to Adopt Res. No. 113-22 Approving the Capital Improvement Plan 2023-2027 and moving Somerset Lane to 2024. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Council Member Steiner moved, seconded by Council Member Norland, to Amend Exhibit A attached to the CIP to reflect moving Somerset Lane to 2024. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Res. No. 114-22 Setting Rates and Charges for Storm Water.**

Interim Finance Director Ryan reported the change would be to the base rate and would set the stormwater surcharge to \$4.75 for a single-family and \$4.75 for all other lots from 0-10,000 sq ft. For lots greater than 10,001 sq ft, the rate would increase to \$.76 per 1,000 sq. ft.

**Council Member Norland moved, seconded by Council Member Steiner, to Adopt Res. No. 114-22 Setting Rates and Charges for Storm Water. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Res. No. 115-22 Setting Rates and Charges for Wastewater Fees.**

Interim Finance Director Ryan reported the Wastewater Rates would increase by \$1.50 per month.

**Council Member Norland moved, seconded by Council Member Oachs, to Adopt Res. No. 115-22 Setting Rates and Charges for Wastewater Fees. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Ordinance No. 154 An Ordinance of the City of North Mankato, Minnesota Amending North Mankato City Code Chapter 151.**

City Administrator McCann noted staff prepared financing options for the transition at a 6% interest rate.

Discussion was held concerning if it was necessary to proceed with the Ordinance. Those in favor noted the new meters would stabilize bills, notify property owners of water leaks and issues, and reduce the burden on finance staff to enter all the meters. Those not in favor noted that if meters are working, why should they be replaced and noted the financial hardship for the landlords.

**Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Ordinance No. 154, An Ordinance of the City of North Mankato, Minnesota, Amending North**

**Mankato City Code Chapter 151. Vote on the motion Norland, Whitlock, and Dehen aye, Oachs and Steiner nay. Motion carried.**

**Res. No. 116-22 Authorizing Entering into an Agreement with the Minnesota Department of Transportation for Federal Participation in Construction.**

City Engineer Sarff appeared before Council and stated the agreement would be utilized when the City received federal funding, and MnDOT would act as the fiscal agent.

**Council Member Whitlock moved, seconded by Council Member Oachs, to Adopt Res. No. 116-22 Authorizing Entering into an Agreement with the Minnesota Department of Transportation for Federal Participation in Construction. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Res. No. 117-22 Approving Plans and Specifications and Ordering Advertisement for City Project No. 22-02 ABCDEF Somerset Lane Street and Utility Improvement Project was not discussed.**

**Agreement Between the City of North Mankato and the City of Mankato for Transit Services.**

City Administrator McCann reviewed the proposed 2023 transit agreement with the City of Mankato. Highlights included the continuation of the fixed Route 5, complementary paratransit services, and the flex route service options. City Administrator McCann reported that the costs associated with the plan continue to increase based on the end of COVID-19 funding and the City's desire to improve access to transportation. Council Member Oachs requested clarification on if the City should continue to pursue less expensive options. City Administrator McCann reported that the City of Mankato is conducting a study that just kicked off to look at alternatives. He noted that City Planner Lassonde is a member of the task force and will be able to provide updates as they become available. Council Member Oachs also requested information on bus shelters. City Administrator McCann noted there had been a dispute about whom would own the shelters. Currently, grants are being sought to offset the cost of bus shelter installations.

**Council Member Norland moved, seconded by Council Member Whitlock, to Approve the Agreement Between the City of North Mankato and the City of Mankato for Transit Services. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Joint Powers Agreement for the All Seasons Arena.**

City Administrator McCann reviewed the proposed Joint Powers Agreement. The agreement clarifies partners, establishes the purpose of the organization, and outlines the rights and responsibilities of each of the signing parties. The responsibilities include expenses. The expenses were established proportionately based on the population set forth in the 2020 censuses for each party in school district 77. The formula has the City of Mankato at 69.82% and North Mankato at 22.41%, and Blue Earth County at 7.77%. Moving forward, City Administrator McCann noted that meetings would occur at least monthly based on the preparations to repair and upgrade the facility. Council Members expressed support for the agreement and continuation of the facility as a regional asset.

**Council Member Oachs moved, seconded by Council Member Norland, to Approve the Joint Powers Agreement for the All Seasons Arena. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Res. No. 118-22 Approving the Grade and Step Plan for all Non-Union Employees.**

City Administrator McCann reported that the Council reviewed the proposed plan at a Council Works Session and requested the staff move forward with an option and present an option that allowed the recognition of staff that has worked for the City for ten years. He stated the proposal meets those objectives and is at 4.71%, which is below the budgeted 5% for 2023. Council Member Oachs supported the plan but thought the decision should wait until the new Council Members. Mayor Dehen supported the pay plan as a way to support staff and remain competitive in the market.

**Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 118-22 Approving the Grade and Step Plan for all Non-Union Employees. Vote on the motion Norland, Whitlock, Steiner, and Dehen aye, Oachs nay. Motion carried.**

**Set Public Hearing for 7 pm on January 3, 2022, to Consider Ordinance No. 155, An Ordinance Amending North Mankato City Code Chapter 11, Section 52.07 Water Meters.**

Mayor Dehen stated this Ordinance would require the installation of new automatic read water meters on all sales of houses when a permit is pulled for plumbing costing more than \$2,000.00 and on all delinquent accounts and those not in compliance with reading their meters. He stated the discussion would be better held on January 17<sup>th</sup> after the new Council members have had a chance to go through a meeting.

**Council Member Norland moved, seconded by Council Member Whitlock, to set a Public Hearing for 7 pm on January 17, 2022, to Consider Ordinance No. 155, An Ordinance Amending North Mankato City Code Chapter 11, Section 52.07 Water Meters. Vote on the motion Norland, Whitlock, Steiner, and Dehen aye, Oachs nay. Motion carried.**

**Lookout Drive Corridor Study.**

City Planner Lassonde stated that the plan is the one that City Council has been reviewing for the past year. He noted there were no significant changes since the last time the Council reviewed the plan. The plan provides for Short-Term Improvement options, Longer-Term Improvements, and Opportunity-Driven Improvements. Council Member Oachs requested clarification on if speed limits would be reduced to address the concerns expressed by residents. City Planner Lassonde stated it did not due to the finding that improvements would not be expected to occur due to placing a sign; rather, restricting lanes and movements would work, but those would be addressed when the plan is moved forward. Currently, the City does not have funding for the plan. He noted residents could express their concerns, but at this time, no plans are in place to change anything.

**Council Member Steiner moved, seconded by Council Member Oachs, to Approve the Lookout Drive Corridor Study. Vote on the motion Norland, Oachs, Whitlock, Steiner, and Dehen aye, no nays. Motion carried.**

**Open Forum**

Tom Hagen, 927 Lake Street, appeared before Council and expressed concerns about a former employee.

Lucy Lowry, 2063 Northridge Drive, appeared before Council and requested clarification on the Culture and Recreation Budget and if the Fire Department received their funds back from assisting with Fun Days and the cost of the Darn Nice Area campaign.

Matt Peterson, 1032 Marie Court, appeared before Council and expressed concern about the management of Fun Days and that the Council voted on the Ordinance addressing the water meters.

**City Administrator and Staff Comments**

City Administrator McCann presented Mayor Dehen and Council Member Norland plaques in recognition of their years of service in the Council.

City Administrator McCann reported that last Friday’s snow emergency was a successful event; the crews were able to efficiently remove snow from roadways. During this event, 33 vehicles were towed, and over 40 vehicles were ticketed. To be directly notified by the City of future snow emergency alerts via text message, email, or phone call, residents should register for the City’s Nixle alert system. Sign up by texting 56003 to 888777 or register on the City’s website. Notice is also announced through the following channels:

- o Notice to the local news media
- o City’s website
- o City’s social media (Facebook, Instagram, Twitter)
- o On the 24/7 Snow Emergency Hotline (507-625-9131)

City Administrator McCann encouraged everyone to check out North Mankato’s Hometown Holiday Lights and maps are available at the library and online.

City Administrator McCann reminded the community that Swim Facility passes are still on sale.

City Administrator McCann reminded residents that the Taylor Library and City Hall would be closed on Friday, December 23<sup>rd</sup>, and Monday, December 26<sup>th</sup>.

**Mayor and Council Comments**

Council Member Norland thanked the community for the opportunity to serve for the last 16 years as Council Member.

Mayor Dehen thanked the community for the opportunity to serve for the last 12 years and reviewed some highlights from his service.

At 8:20 pm, on a motion by Council Member Norland, seconded by Council Member Oachs, the Council Meeting was adjourned.

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Mayor

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City Clerk