

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 March 6, 2017. 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 roll call: Mayor Dehen, Council Members Norland and Freyberg, Finance Director McCann, City Attorney Kennedy, Community Development Director Fischer, Public Works Director Swanson and City Clerk Van Genderen. Absent: Council Members Steiner and Whitlock and City Administrator Harrenstein.

**Approval of Agenda**

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

**Approval of Council Meeting Minutes**

**Council Member Freyberg moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of February 21, 2017. Vote on the motion: Norland, Freyberg, and Dehen aye; no nays. Motion carried.**

**Public Hearing-Revision of Code of Ordinances.**

Community Development Director Fischer reported the City annually makes code revisions and recodifies the City Code.

Douglas Schaller, 55656 Hemlock Road, Mankato appeared before Council and requested the City remove the sentence in the proposed code revisions that require landlords to provide their social security numbers because it is required by State Statute. He claimed he did not believe the law applied to him because he is not a business and he reports his rent income on a Schedule E, not a Schedule C, so the IRS does not recognize him as a business. He stated there was no penalty for the City if they did not collect the information so the City should just not collect the information. Attorney Kennedy stated he had reviewed information that Mr. Schaller had provided to him and he would like more time to consider the information and requested the Council remove this particular sentence from the Code changes and review the issue at the first meeting in April. Sharon Schaller, Sharon's Craft-N-Floral, 241 Belgrade Avenue, appeared before Council and stated parcel identification numbers should be used instead of Social Security numbers to manage rental property income. Barb Church, 102 Wheeler Avenue, appeared before Council and questioned why City Code requires fences to follow the lay of the land. She stated if you follow the lay of the land property owners cannot purchase pre-made fences. Ms. Church also requested clarification on if the changes to City Code 156.035 was in reference to 'granny pods.' Community Development Director Fischer stated the language ensuring fences follow the lay of the land was not new language; he also stated caregiver homes would not be required to have separate water and sewer as the homes would be temporary. With no one else appearing before Council, Mayor Dehen closed the Public Hearing.

**Public Hearing-Amend City Code, Chapter 91: Animals.**

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

**Consent Agenda**

**Council Member Norland moved, seconded by Council Member Freyberg, to approve the Consent Agenda which included:**

- A. Bills and Appropriations.

- B. Approved Large Group and Audio Permit for Peil/Noble Wedding on October 21, 2017, at Spring Lake Park with Audio from 3:30 p.m. to 4:30 p.m.
- C. Approved Parade Permit for the Monroe PTO, Color Run on May 6, 2017, from 7 a.m. to 12 p.m.

**Vote on the motion: Norland, Freyberg, and Dehen aye; no nays. Motion carried.**

### **Public Comments**

Sharon Schaller, Sharon's Craft-N-Floral, 241 Belgrade Avenue, appeared before Council and stated she received a letter from the City indicating the organizers of Bumpers on Belgrade were submitting an application to host Bumpers on Belgrade on eight Thursdays between June 1, 2017, and September 2, 2017, beginning at 4:30 p.m. She stated she did not want the event to return because it hurt her business. If it did return she thought the cars should be subject to the following 1) a charge per car, per space 2) no drinking beer in the street 3) no advertising of vehicles for sale.

### **Business Items**

**Consider Ordinance No. 86, Fourth Series An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Revising, Updating and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances, and Providing Penalties for the Violation of the Code of Ordinances. Council Member Freyberg moved, seconded by Council Member Norland to Table the Ordinance until March 20, 2017.** Discussion was held that Attorney Kennedy would like until April 3, 2017, to review the Social Security number requirement. **Council Member Freyberg motioned, seconded by Council Member Norland to accept a friendly amendment to his motion to table Ordinance No. 86 from March 20, 2017, until April 3, 2017. Vote on the motion: Norland, Freyberg, and Dehen aye; no nays. Motion carried.**

**Ordinance No. 87, Fourth Series an Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Title IX General Regulations, Chapter 91: Animals. Council Member Norland moved, seconded by Council Member Freyberg to Adopt Ordinance No. 87, Fourth Series an Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Title IX General Regulations, Chapter 91: Animals. Vote on the motion: Norland, Freyberg, and Dehen aye; no nays. Motion carried.**

### **City Administrator and Staff Comments**

Public Works Director Swanson stated a large rock tumbled from the bluff across the street from City Hall. He indicated the rock would probably be repurposed on public grounds.

### **Mayor and Council Comments**

Mayor Dehen stated the City received thank yous from Echo Food Shelf, Climb to Feed Kids, Toys for Tots, Backpack Food and Troop 29 for charitable gambling donations.

### **Public Comments**

Barb Church, 102 Wheeler Avenue, appeared before Council and stated that during her comments at the previous Council meeting she forgot to mention that she respects the right for people to listen to what they choose, but others have the right not to listen. She stated that in 2013 Orfield Laboratories conducted testing and determined the Mankato amphitheater was not out of compliance,

but low-frequency intrusion may be an issue. Ms. Church requested clarification on what the City of North Mankato was going to do about the noise. Council Member Freyberg stated the City of North Mankato does not have jurisdictional control over the park and Ms. Church needs to take the fight to where the fight is; the City of Mankato. Council Member Freyberg stated the MPCA has very clear procedures to resolve noise issues and the proof lays on the complainant and would need to be brought to the Blue Earth County Attorney who would then prosecute. Ms. Church requested clarification on why North Mankato was not going to pursue the issue City to City. Council Member Freyberg stated the City had discussed and worked with Mankato to resolve the issue, but North Mankato is not the complainant it is Ms. Church. He requested Ms. Church show him a petition with signatures of the majority of the approximately 15,000 North Mankato residents, indicating Ms. Church is the only individual the City of North Mankato has heard from. Attorney Kennedy stated that if Ms. Church wanted to write a petition the language would need to be very carefully worded. Ms. Church asked if the City could help her word the petition. Attorney Kennedy indicated she would need to complete the petition. Mayor Dehen stated Ms. Church should make her presentation to the full Mankato City Council, they were the ones that could make a difference and if nothing resulted from the meeting than she should begin reviewing a petition or taking other action. Council Member Norland stated taking her presentation to the City of Mankato Council and posing the request as Mankato being a good neighbor would be a good approach.

Gary Zellmer, 1591 Sharon Drive, appeared before Council and stated the North Mankato Taylor Library just had their Community Read Book Release at the Library, and the book for 2017 is The Wright Brothers by David McCollough. Mr. Zellmer thanked Mayor Dehen for meeting with the library board where they discussed the Endowment Fund, the KTV computer, closing the library on Sundays and Art Splash. He stated these issues were reviewed and reported they had discussed ways to ensure better communication will occur between the Library Board and the City Council. He indicated they had a good conversation with the new Interim Library Director Katie Heintz. Mr. Zellmer indicated an employee satisfaction questionnaire should be completed, and they should outsource some of the Human Resources. Council Member Norland noted an employee satisfaction report was conducted in 2016 and the results were very positive with additional monthly meetings occurring between administration and departments.

Sharon Schaller, Sharon's Craft-N-Floral, 241 Belgrade Avenue, appeared before Council and expressed concerns over the former Library Director's resignation. She stated the Library Endowment Fund was used for City events. Mayor Dehen corrected her and said all Library Endowment funds were used for their intended purpose of supporting library events.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Freyberg, the meeting adjourned at 7:55 p.m.

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Mayor

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City Clerk