

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 April 15, 2019. 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: Council Member Norland, Oachs, Whitlock, and Steiner, City Administrator Harrenstein, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen.

Approval of Agenda

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

Approval of Council Work Session Minutes March 25, 2019

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council Work Session Minutes of March 25, 2019. Vote on the motion: Norland, Oachs, Whitlock, and Dehen aye; Steiner abstain; no nays. Motion carried.

Approval of Council Meeting Minutes April 1, 2019

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of April 1, 2019. Vote on the motion: Steiner, Norland, Whitlock, and Dehen aye; Oachs abstain; no nays. Motion carried.

Approval of Council Work Session Minutes April 8, 2019

Council Member Norland moved, seconded by Council Member Whitlock, to approve the minutes of the Council Work Session Minutes of April 8, 2019. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 35-19 Approving Donations/Contributions/Grants.
- C. Approved League of Minnesota Cities Insurance Trust Liability Coverage Waiver Form.
- D. Approved Taxi License for BEC Enterprises, LLC, DBA Blue Earth Taxi from April 15, 2019, to December 31, 2019.
- E. Approved Developer Agreement for Privately Financed Improvements the Landing North Phase 4 with KWS, LLC.
- F. Approved the Labor Agreement between the City of North Mankato and North Mankato Police Department Lieutenants Law Enforcement Labor Services, Inc. (Local No. 394).
- G. Set Public Hearing for May 6, 2019, at 7:00 p.m. to Consider Ordinance No. 113, Amending North Mankato City Code, Title V, Public Works, Chapter 71, Parking Regulations.

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

Public Comments Concerning Business Items on the Agenda

Erin Simmons, 52698 Valley View Circle, appeared before the Council and indicated she supported the proposed contract with RubyRide. She works with the Boys and Girls Clubs of America and indicated an improved transportation system might increase the number of kids able to participate in the clubs.

Richard Sawatzky, 2141 East Dream Drive, appeared before Council and requested support for the proposed reduced backyard setbacks for swimming pools.

Barb Church, 102 Wheeler Avenue, appeared before Council and spoke about the proposed ordinance change to the swimming pool setback. Ms. Church commented on who would be determining the breaklines and ravine stability, suggested a different wording for the Ordinance, and expressed concerns about future ravine stability.

Business Items**Res. No. 36-19 Approving Mn/DOT Contract No. 1033832 Appointing Mn/DOT as the City's Agent in Accepting Federal Aid Funds in Conjunction with the 2019 Commerce Drive Improvement Project.**

City Engineer Sarff appeared before Council and reported Federal Funds for the Commerce Drive project are designated for 2021 and 2022, but the State funds are for 2019. Because the State Funds are designated for 2019, the project will be completed in 2019, and Mn/DOT will loan the funds for the completion of the work in 2019, and the agreement makes Mn/DOT the fiscal agent for the Federal Funds.

Council Member Steiner moved, seconded by Council Member Norland to Adopt Res. No. 36-19 Approving Mn/DOT Contract No. 1033832 Appointing Mn/DOT as the City's Agent in Accepting Federal Aid Funds in Conjunction with the 2019 Commerce Drive Improvement Project. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Set a Public Hearing for May 6, 2019, at 7:00 p.m. to Consider a Request to Amend City Code Section 156.035 Related to Swimming Pool Setbacks.

Council Member Norland expressed concerns about changing the setbacks and requested each situation be considered one by one. City Attorney Kennedy reported the Planning Commission held considerable discussion concerning breaklines, ravine stability, and authorized personnel to make those determinations. City Administrator Harrenstein reported a process would be established with specific criteria and City inspectors would complete the form and would seek additional review from an engineer if necessary. Mayor Dehen noted he preferred to have the language state the setback is 25 feet but a variance can be obtained to decrease the setback to 10 feet. City Engineer Sarff reported his recommendation was a 10-foot setback which can be moved back to 25 feet if necessary. He reported 90% of the ravines would not be a problem. Council Member Norland requested City staff create criteria for both options for consideration. City Administrator Harrenstein reported City staff would create ravine breakline and stability criteria.

Council Member Norland moved, seconded by Council Member Whitlock to Set a Public Hearing for May 6, 2019, at 7:00 p.m. to Consider a Request to Amend City Code Section 156.035 Related to Swimming Pool Setbacks. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Approve RubyRide Transportation Service Agreement.

City Administrator Harrenstein reported the agreement is an experimental pilot program to provide on-demand service to North Mankato residents, and the City will subsidize a portion of the service. He indicated the Council would be requested to approve both a Transportation Service Agreement and a Service Level Agreement. City Administrator Harrenstein reported the City recognized the constraints on the current public transportation system and the City is taking the lead on introducing an alternative service. The City will only subsidize rides for North Mankato residents, but other organizations may take advantage of the service. Finance Director McCann reported the proposed agreement allows an opportunity to move forward with a different transit system to supplement the current system. The micro-transit model may work better for lower density areas. A 12-month pilot program will begin on July 1, 2019, and end on June 30, 2020. The current agreement provides service from 7 am to 6 pm Monday through Friday, but can be modified. Finance Director McCann reported residents 18 years of age or older, and accompanied minors will pay \$4.00/trip/passenger with a different rate for minors. The City subsidizes the rest in the municipal trip subsidy based on the number of trips per month. The more trips, the less the City will need to subsidize. Finance Director McCann reported the City would provide \$7,200 in startup fees. The total City cost estimate for the service is \$75,000 to \$100,000. If the service does not go well, the City has 30-days to terminate the contract. To ensure quality, the RubyRide drivers are employed by the company, and the cars are owned by RubyRide. The service evaluates drivers based on customer feedback. City Administrator Harrenstein noted the subsidized service is limited to the municipal boundaries of North Mankato and Mankato, with only North Mankato residents receiving the subsidized services. Currently, youth must be accompanied by an adult to receive the subsidized rate. Mark Anderson who assisted the City with the project appeared before the Council and congratulated Council for taking steps to solve the issue of public transportation in low-density areas. The project is starting small, but this will allow the City to solve issues with the program before increasing the services provided.

Council Member Norland moved, seconded by Council Member Steiner to Approve RubyRide Transportation Service Agreement. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Council Member Norland moved, seconded by Council Member Steiner to Approve RubyRide Service Level Agreement for the City of North Mankato, Minnesota. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.

Receive Information on MAPO ADA Transition Plan and Inventory.

Matt Lassonde from Bolton & Menk appeared before Council and presented an update on the MAPO ADA Transition Plan and Inventory. Mr. Lassonde stated in late 2017 MAPO began the ADA Transition Plan and Inventory and it includes all MAPO partners. The City will be requested to adopt the plan next month following MAPO adoption. Mr. Lassonde reported the self-evaluation process included a review of City policy and practice, a program review, and opportunity for public comment. North Mankato reviewed policies in the City Code, Comprehensive Plan, Complete Streets Plan & Policy, Pavement Management Plan, Safe Routes to School Plan and the Sidewalk Installation and Maintenance Plan. While there were a few suggested language changes, few major changes were needed for the policies. The self-evaluation included a review of sidewalks, pedestrian ramps, crosswalks, trails or paths, signals, bus stops, and bus shelters. Pedestrian ramps were 33% compliant, sidewalks, 76% compliant, bus stops were 27% compliant, traffic signal push buttons with APS were 35% compliant, and crosswalks were 99% compliant. The transition plan requires the identification of

a Title II ADA Coordinator, a list of any physical barriers to accessibility, a plan to remove the barriers, a schedule for the plan and opportunity for public comment. The established plan for the City of North Mankato requires after ten years, 26% of accessibility features identified in this plan will be ADA compliant, after 20 years, 52%, after 30 years 78% and after 40 years 100% of features identified in this plan will be compliant. Mr. Lassonde reported the process included public involvement with outreach to nearly 40 groups and open houses in Mankato and North Mankato. Public involvement was also taken online on a project website. The final steps for the plan include MAPO Policy Board Approval on May 2, 2019, and partner agency adoption. City Administrator Harrenstein noted that the plan is a step towards ensuring accessibility and is required by the Federal Government to continue to receive federal funds on future road improvements. Mayor Dehen stated the document would inform all future road projects. Attorney Kennedy requested clarification if 40 years to complete the improvements met the federal government's expectations. Mr. Lassonde stated it was acceptable and the plan was acceptable for yearly budget goals. He noted the plan provided immunity for the City as the City has established a plan for improvements.

Open Forum

None.

City Administrator and Staff Comments

City Administrator Harrenstein thanked street crews for their work on the last snowfall. He noted there are locations in the City that have a lot of pavement damage and crews are aware and will be addressing those issues as soon as the water tables, and ground saturation decreases.

City Administrator Harrenstein reported crews continue to work on the Swim Facility and it is currently looking like a July opening.

Public Works Director Host reported MnDOT's 2019 improvement plan includes an epoxy chip and seal on the Veteran's Bridge and staff have been working to ensure minimal disruption.

Mayor and Council Comments

Council Member Norland thanked the staff for the Council Work Sessions and appreciated the tour at the Streets Department noting the building needs to be added to the capital improvement plan.

Council Member Whitlock noted the Bunnies on Belgrade was a success and congratulated the Boy Scouts on the successful event.

Mayor Dehen noted the City's partnership with the River Ramble would continue, the event will be held on October 6, 2019.

Mayor Dehen noted the process has begun to fill the vacancy at Greater Mankato Growth following the loss of Jonathan Zierdt.

At 8:08 p.m. on a motion by Council Member Steiner, seconded by Council Member Steiner the Council Meeting was adjourned.

Mayor

City Clerk