

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 August 20, 2018. 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: Council Members Freyberg, Whitlock, Steiner, and Norland, Mayor Dehen, City Administrator Harrenstein, Finance Director McCann, Attorney Kennedy, City Engineer Sarff, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen.

Approval of Agenda

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

Approval of Minutes

Council Member Norland moved, seconded by Council Member Whitlock, to approve the minutes of the Council meeting of August 6, 2018. Vote on the motion: Freyberg, Whitlock, Norland and Dehen aye; Steiner abstain; no nays. Motion carried.

Public Hearing, 7 p.m. - Consider Ordinance No. 105, Amending Chapter 156, Zoning Code.

Community Development Director Fischer reported current code includes in-ground pools as a permitted use subject to being enclosed by a 6-foot high fence. A request was made to amend the code to allow the use of pool covers that are ASTM F 1346 certified. Community Development Director Fischer reported the Planning Commission reviewed and recommended the amendment. The proposed ordinance would require an “in-ground private swimming pool serving a single-family residence when completely enclosed within a fence at least 6 feet in height or an automatic pool cover installed over the entire pool surface which meets ASTM F 1346 standards.” He stated in zoning districts in the R-3, R-3A or R-4 districts an “in-ground swimming pool serving a multi-family dwelling(s) when completely enclosed with a fence of at least six feet in height.”

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

Public Hearing, 7 p.m.-Consider Ordinance No. 106, Amending Chapter 71.05, Other Parking Restrictions.

Community Development Director Fischer stated there had been interest in amending the on-street parking requirements. Currently, City Code on-street parking requirements state that no vehicle shall be parked more than 24 hours. If a citizen complains, the police mark the car and check if the vehicle has moved in the 24 hours. The proposed ordinance states “It is unlawful for any person to stop, park or leave standing any vehicle, boat, trailer, camper or recreational vehicle upon any street for a continuous period in excess of 24 hours. After 24 continuous hours of no movement, they are required to be relocated a minimum of one hundred (100) feet from their original location.”

Doug Drill, 835 Sherman Street, appeared before Council and stated he parks a boat in front of his house and may not always move it within the 24 hours. He indicated he pays assessments for the street and should be able to utilize the streets. Mr. Drill stated that if he needs to move his boat 100ft, it would then be parked in front of his neighbors.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 68-18 Approving Donations/Contributions/Grants.

- C. Approved Large Group Park Permit for Mount Olive School Charger Challenge on September 28, 2018, from 8:00 a.m. to 2:00 p.m. at Spring Lake Park.
- D. Approved Parade Permit for mount Olive School Charger Challenge on September 28, 2018.
- E. Res. No. 69-18 Approved Consent Assessment Agreement-512 McKinley Avenue

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

Public Comments Concerning Business Items on the Agenda

None.

Business Items

Ordinance No. 105, Amending Chapter 156, Zoning Code

Council Member Freyberg thanked Mr. Sowers for the information regarding the pool covers. He stated he still had concerns about the use of a pool cover rather than a 6-foot fence. He noted a variance the City recently granted to allow a six-foot fence to surround a property to ensure an autistic child did not wander. He stated since we know that there are children that wander we are assuming a landowner will not be distracted and forget to close a pool cover. Council Member Freyberg noted children would roam and he expressed concern that a child could drown due to non-attentive adults, especially since City Council has recognized the fact that children wander. Mayor Dehen noted he could see both sides of the argument. **Council Member Norland moved, seconded by Council Member Steiner to adopt Ordinance No. 105, Amending Chapter 156, Zoning Code. Vote on the motion: Whitlock, Norland, and Dehen aye; Freyberg and Steiner nay. Motion carried.**

Ordinance No. 106, Amending Chapter 71.05, Other Parking Restrictions.

Attorney Kennedy responded to a resident's comment stating the City is not suggesting people park their vehicles in front of a neighbor's home, rather residents need to locate off-street parking. Council Member Steiner noted he received several complaints and concerns about people parking in a certain location longer than 24-hours, especially from constituents in lower North Mankato. Council Member Norland noted there were issues in lower North Mankato. Mayor Dehen noted he received calls from people both supporting and against the proposed Ordinance. He stated streets are definitely for parking, but they are not locations for storage. Mayor Dehen commented he had reached out to the Police Department to hear their comments. He noted there were comments that 24 hours might be too short and 48 hours may be a better choice. Mayor Dehen stated the 100 feet is not necessarily the issue; rather the bigger issue is making sure vehicles are not parked within 100 feet of intersections or curves to help with visibility. **Council Member Steiner moved, seconded by Council Member Norland to adopt Ordinance No. 106, Amending Chapter 71.05, Other Parking Restrictions. Vote on the motion: Freyberg, Whitlock, Steiner, and Norland aye; Dehen nay. Motion carried.**

Preliminary and Final Plat of Nature View Subdivision No. 3, A Request from Mick Montag.

Council Member Norland moved, seconded by Council Member Whitlock to accept the Preliminary and Final Plat of Nature View Subdivision No. 3, A Request from Mick Montag. Vote on the motion: Freyberg, Whitlock, Steiner, Norland and Dehen aye; no nays. Motion carried.

Set Public Hearing for September 4, 2018, at 7:00 p.m. to Consider Ordinance No. 107, Amending Chapter 51, Refuse Collection.

Council Member Freyberg moved, seconded by Council Member Norland to set a Public Hearing for September 4, 2018, at 7:00 p.m. to Consider Ordinance No. 107, Amending Chapter 51, Refuse Collection. Vote on the motion: Freyberg, Whitlock, Steiner, Norland and Dehen aye; no nays. Motion carried.

Set a Public Hearing for September 4, 2018, at 7:00 p.m. to Consider Ordinance No. 108, Amending Chapter 33.07, Contracts with the City.

Mayor Dehen commented the Ordinance would increase the competitive bidding threshold to the rates just approved by the Minnesota State Statutes. The threshold would increase from \$100,000 to \$175,000. The previous threshold was established in 2008. **Council Member Freyberg moved, seconded by Council Member Norland to Set a Public Hearing for September 4, 2018, at 7:00 p.m. to Consider Ordinance NO. 108, Amending Chapter 33.07, Contracts with the City. Vote on the motion: Freyberg, Whitlock, Steiner, Norland and Dehen aye; no nays. Motion carried.**

Open Forum

Phil Henry, 1300 Noretta Drive, commented that something was eating his garden.

City Administrator and Staff Comments

Public Works Director Host appeared before Council and reported the City had completed their work on the swim facility and Global Specialties were excavating the deepest part of the facility and would continue until cold weather prevents work.

Public Works Director Host stated the Jefferson Avenue project began the week of August 13, 2018, and they are moving forward.

Mayor Dehen requested clarification on groundwater, Public Works Director Host noted the river continues to drop, but it takes longer for the groundwater levels to drop.

City Clerk Van Genderen commented that the City of North Mankato had excellent voter turnout for the Primary and thanked all of the Election Judges for their hard work during the election.

Finance Director McCann noted the draft budget would be ready for a Budget Workshop on September 4, 2018, at 6:00 p.m.

Mayor and Council Comments

Council Member Norland noted that Oak Terrace Assisted Living was awarded, in 2018, three bronze awards from the American Health Care Association.

Council Member Norland congratulated Deputy City Clerk Anderson for her efficient and helpful work with contractors. Council Member Norland stated she recently spoke with a contractor who was very complimentary.

Mayor Dehen stated he received a thank you from the Coalition of Greater Minnesota for hosting the Coalition Conference.

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

Mayor

City Clerk