

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 February 16, 2016. 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 Spears, Steiner, Norland and Freyberg, City Administrator Harrenstein, Attorney Kennedy, City Planner Fischer, Public Works Director Swanson and City Clerk Van Genderen. Absent: Finance Director Thorne.

Approval of Agenda

Council Member Norland moved, seconded by Council Member Steiner, to approve the agenda as presented. Vote on the motion: Spears, Steiner, Norland, Freyberg 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 February 1, 2016. Vote on the motion: Spears, Steiner, Norland and Dehen aye; Freyberg abstain. Motion carried.

Public Hearing, 7 pm-Consider Project No. 15-02ABCDE Roe Crest Drive Improvement Project.

City Engineer Dan Sarff appeared before Council and presented a PowerPoint on the 2016 Roe Crest Drive Street and Utility Reconstruction Project. City Engineer Sarff stated City Council authorized the Preliminary Engineering Report on October 5, 2015 and City staff has been evaluating options. He stated the sanitary sewer, watermain and storm sewer systems are over 50 years old and need replacing. The street and surface is in very poor condition and also needs to be replaced. The proposed improvements include complete reconstruction of existing street, new concrete curb and gutter, new concrete driveway aprons, restoration of all disturbed residential turf areas and possibly burying power lines. City Engineer Sarff stated the Complete Streets Policy and the North Mankato Safe Routes to School Planning Study both recommend the consideration of pedestrian and bicycle accommodations on Roe Crest Drive. City Engineer Sarff reviewed the 4 options that were presented to Roe Crest Drive residents. He also presented a fifth option that combined option No. 1 that did not include a sidewalk with a trail behind the houses on the west side of Roe Crest Drive. The trail would cost an approximate \$176,000 to construct. City Engineer Sarff reviewed the assessment policy and stated the calculated assessments for residents ranged from \$15,300 to \$26,900 but City staff proposed capping the assessment at \$8,000. City Engineer Sarff stated feedback from residents on Roe Crest Drive concluded reconstruction was needed of all underground utilities and street and surface but residents were resistant to both designated bike lanes and the construction of a sidewalk. City Engineer Sarff reported the engineers were recommending option No. 2 which provides width for shared vehicle/bike lanes and a sidewalk for safer pedestrian travel and maintains parking on both sides. Mayor Dehen requested clarification on the cost of the trail with no sidewalk. City Engineer Sarff reported the cost of the trail would be an additional \$128,000 when added to option No. 1 which did not include a sidewalk. Mayor Dehen opened the meeting to the public.

Diane Benson, 2053 Roe Crest Drive, appeared before Council and stated residents preferred option No. 1 because it did not include a sidewalk. She stated the sidewalk would destroy beautiful trees and create a hardship for residents due to snow removal.

Randy Lundsten, 2043 Roe Crest Drive, appeared before Council and stated residents preferred the trail and did not want a sidewalk.

Gary Dubke, 2041 Roe Crest Drive, appeared before Council and requested clarification on how residents would be assisted to and from their homes during reconstruction. Mr. Dubke also stated

meeting handicap accessibility standards with the sidewalks may be difficult due to the recently updated driveways on several properties.

Karen Dubke, 2041 Roe Crest Drive, appeared before Council and stated residents would like the City to consider a 4 foot instead of a 6 foot sidewalk if a sidewalk is installed.

Presentation-7 pm- Sports Commission Presentation on the Regional Recreation Facilities Report.

Jonathan Zierdt from Greater Mankato Growth appeared before Council to present the Regional Recreation Facilities Report completed by the Sports Commission. Mr. Zierdt stated the Regional Recreation Facilities Report not only indicated the need for additional sporting facilities but also revealed the importance of such facilities to improve livability and draw additional talent to the region. The report identified the community's desires for regional recreation and provided a projected needs and cost assessment. Mr. Zierdt stated the report does not identify when projects will be brought forward rather it reveals the need and encourages the region to secure sales tax dollars during the 2016 legislative session. He indicated that projects in the report cannot come to fruition until private dollars and user group dollars are brought forward. Sales tax dollars are the last dollars in after projects are brought forward with private dollars and user group dollars. Viable projects will be brought before the city councils and at that time the governing bodies can determine if sales tax dollars would be used to support the project.

Anna Thill, President of Visit Mankato outlined the report and reviewed the timeline and process of the report. Brett Skilbred, the Vice Chair of the Sports Commission, appeared before Council and presented the report stating the findings should encourage a campaign for the extension of the sales tax for the expansion of regional recreation. He stated the report includes a needs assessment which highlights the expansion of current facilities and the need for additional facilities. The report concludes that an estimated \$45 million is needed to fulfill the current needs of the community. The committee determined that as times and needs change a process should be established that allows new worthwhile projects to be brought forward for consideration. Mr. Skilbred stated a rubric was created to identify future community needs and projects. He indicated the recommendation of the report is to have the cities of Mankato and North Mankato place the ½ cent sales tax extension on the 2016 ballot as a referendum and the Mankato Sports Commission and Greater Mankato Growth will advocate for the sales tax. The report also requested the cities of North Mankato and Mankato allocate sufficient funds in support of recreational growth so greater dollars can be leveraged from outside sources.

Council Member Spears stated that the tax payers will ultimately be deciding the issue. Council Member Spears questioned why Rochester, Minnesota and Traverse City, Michigan were used as comparative studies. Anna Thill, President of Visit Mankato, reported the areas were of similar size and had good data within their case studies. Council Member Spears stated the report indicated businesses looking to recruit talent state prospective talent look at lifestyle when considering whether or not to move to a community. Mr. Zierdt indicated the report considered what people do to stay active. While the report focused on recreational activities, lifestyle included other facets of life that were not considered in the report. Council Member Spears stated he has a three tier system for determining how the government should use tax dollars. The first tier is maintenance of necessary functions, tier two are items or amenities that every citizen can utilize and third tier items service a small segment of the population and should be paid for by those users. Council Member Spears stated the report indicated the city should make non- sales tax dollars available to fully leverage private money. Mr. Zierdt indicated non-sales tax dollars included private donors and user groups. The rubric makes sure private dollars and revenue dollars are available prior to bringing projects forward for consideration. Mayor Dehen stated the use of non-sales tax dollars will be determined by the support a proposed project has in both major donors and user groups. The city councils will determine the

amount of sales tax dollars that will be used for each project. Administrator Harrenstein stated the goal of the committee would be to leverage partner funds before considering tax-levy dollars to fund a project. The City has used tax-levy dollars to support Caswell Park and in the future tax-levy dollars may be used to support other projects. A major factor in determining the amount of tax dollars that will be leveraged is if a project comes forward with major donors and user group operational dollars. The more money from a major donor and user groups the less the impact on tax dollars. Council Member Spears stated caution should be taken as there is an assumption that the trend of growth will continue.

Barb Church, 102 Wheeler, appeared before Council and stated she was pleased the sales-tax was going before referendum and the report should say what we want not what we need. Ms. Church also stated the report was directed at the wants and desires of the youth not the older generation.

Public Hearing-7 pm Revised City of North Mankato Assessment Policy.

City Administrator Harrenstein reported the draft Assessment Policy would replace the assessment policy from 1976. The City would hold another Public Hearing on March 7, 2016 and consider adopting the policy at the March 21, 2016 meeting. Mayor Dehen opened the meeting to the public. Barb Church, 102 Wheeler, appeared before Council and stated the first policy should be included in the packet. Ms. Church requested clarification on the inclusion of mil and overlay as assessable. Administrator Harrenstein stated the inclusion of mil and overlay was for discussion and could be removed or the language changed to allow future Councils the ability to assess for mil and overlay if financial difficulties made it difficult to maintain the Complete Streets Policy.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 17-16 Approving Donations/Contributions/Grants.
- C. Approved Large Group and Audio Permit for Lasting Imprint's Our Community Has Heart Community Day at Spring Lake Park Shelters #1, #2 and #3 on Saturday, September 17, 2016 from 5:30 a.m. to 3 p.m.
- D. Approved Parade Permit for Business on Belgrade's Bookin' on Belgrade Nearly 5K Family Fun Run and Walk on Saturday, June 4, 2016 from 8:30 a.m. to 9:45 a.m.
- E. Set Spring Clean-up for April 18-22 for the Valley and May 2-13 for the Hilltop.
- F. Set Water Main Flushing for May 2-6 for the Valley and May 2-13 for the Hilltop.
- G. Set Board of Appeal and Equalization for Thursday, April 7, 2016 at 9:00 a.m. in the Police Annex Community Room.

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

Public Comments

Tom Hagen, 927 Lake Street, appeared before Council and stated he believed the City needs to set a policy concerning noise permits that can be enforced.

Business Items

Resolution Ordering Improvement and Preparation of Plans and Specifications for Project No. 15-02ABCDE Roe Crest Drive Improvement. Council Member Spears moved, seconded by Council Member Steiner to approve option No. 1 with no sidewalk and defer

consideration of the trail to a later date. Council Member Freyberg stated the inclusion of a sidewalk would increase the maintenance of the properties for those that lived on Roe Crest Drive but the inclusion of a six foot sidewalk may be appreciated especially as new owners move into the houses. Council Member Freyberg indicated he was in favor of option No. 2 with a sidewalk. Council Member Norland also indicated support for option No. 2. Council Member Steiner indicated he had not heard any support from the residents of Roe Crest Drive for a sidewalk. **Vote on the motion: Council Member Spears and Steiner aye; Norland, Freyberg and Dehen nay. Motion failed. Council Member Steiner moved, seconded by Council Member Spears to approve option No. 1 with a trail.** Mayor Dehen requested clarification from City Engineer Sarff on negotiations with the radio station. City Engineer Sarff stated the radio stations corporate offices were in Omaha, NE and Dignity Radio had not responded to staff's request to consider an easement. City Engineer Sarff indicated it would be preferable to move forward with the preparation of plans and specifications in order to complete the project in 2016. Administrator Harrenstein indicated the City could move forward with the plans and specifications and if Dignity Radio would not agree to the easement Council could determine at a later date whether or not to move forward with a sidewalk. Council Member Freyberg requested City Planner Fischer review if there would be any restricted use of the property based on the height of the radio tower. **Vote on the motion: Council Member Spears, Steiner and Norland aye; Freyberg and Dehen nay. Motion failed.** The motion failed because the proposed assessable improvement was initiated by Council and the project is subject to Minn. Stat. 429.031, Subd. 1 which requires a super majority or a 4/5 vote for the resolution to carry.

Approve Preliminary and Final Plat of Mankato Clinic North Mankato Addition, a Request from Mankato Clinic. City Planner Fischer stated the property located at 1575 Lookout Drive is currently subdivided into eleven (11) lots and the intent of the applicant is to develop the property. In order to develop the property the applicant requests to replat the property by eliminating all the internal lot lines. The proposed redevelopment consists of the construction of a new medical facility and the demolition of the existing facility. **Council Member Steiner moved, seconded by Council Member Norland to approve the Preliminary and Final Plat of Mankato Clinic North Mankato Addition, a Request from Mankato Clinic. Vote on the motion: Council Member Spears, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.**

Res. No. 19-16 in Support of Bonding Money for Parks and Trails. City Administrator Harrenstein reported the resolution was in support of bonding money for parks and trails. Mayor Dehen stated the funds would not go to the Lessard-Sams Outdoor Heritage Fund rather to another local grant program which may increase the ability for the City to obtain funds. Council Member Freyberg indicated the grant program would focus on greater Minnesota and bring equity to the expenditure of funds. Council Member Spears stated he had a hard time supporting the resolution. **Council Member Freyberg moved, seconded by Council Member Norland to adopt Res. No. 19-16 in Support of Bonding Money for Parks and Trails. Vote on the motion: Steiner, Norland, Freyberg and Dehen aye; Spears nay. Motion carried.**

Res. No. 20-16 Requesting the Advance of Municipal State Aid Funds for Municipal Construction Projects. City Engineer Dan Sarff stated he would speak on Res. No. 20-16 and Res. No. 21-16 requesting the advance of Municipal State Aid. He stated the State allocates Municipal State aid funds to cities over 5,000 people. The City of North Mankato is looking to advance funds related to the completion of the Lookout Drive Improvement Project. Council Member Spears requested clarification on the balance of state aid. City Engineer Sarff stated the actual balance would be negative \$700,000. City Administrator Harrenstein indicated Council discussed the advance of

Municipal State Aid funds during the Lookout Drive Reconstruction project deliberations. The project was recommended due to significant safety concerns and Council approved the action. He also stated the City is not being put in a poor position for future use of Municipal State Aid funds. **Council Member Norland moved, seconded by Council Member Steiner to adopt Res. No. 20-16 Requesting the Advance of Municipal State Aid Funds for Municipal Construction Projects. Vote on the motion: Spears, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.**

Res. No. 21-16 Requesting the Advance of Municipal State Aid Funds for Federal Construction Projects. Council Member Norland moved, seconded by Council Member Steiner to adopt Res. No. 21-16 Requesting the Advance of Municipal State Aid Funds for Federal Construction Projects. Vote on the motion: Spears, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.

City Administrator and Staff Comments

City Administrator Harrenstein thanked the citizens of Roe Crest Drive for their participation in the neighborhood meetings concerning the Roe Crest Drive reconstruction. While the meetings were a communication tool the vote was never intended to dictate to staff a recommendation to present to Council. He stated that while he understood the desire for a 4-foot instead of 6-foot sidewalk City staff could not recommend the smaller sidewalk due to safety concerns.

Mayor and Council Comments

Council Member Spears moved that City staff be directed to work on a policy regarding noise. City Administrator Harrenstein indicated a motion was not necessary for staff to work on a report regarding audio permits. City Administrator Harrenstein read a note from a resident complimenting the City on the use of Spring Lake Park for the Anthony Ford Pond Hockey Tournament. The note indicated they enjoyed hearing the enthusiasm and joy coming from the park. Council Member Freyberg indicated a future work session may be necessary to gain ideas on managing the noise. City Attorney Kennedy indicated the City should work toward reasonable accommodations if the Police are called in to enforce the permit criminal charges could result. Attorney Kennedy indicated this may not be what anyone desires.

Mayor Dehen indicated individuals interested in volunteering for the Belgrade Avenue Study could complete an application on the North Mankato website.

Public Comments

Robin Lundsten, 2043 Roe Crest Drive, appeared before Council and stated it appeared her voice did not matter because the Council did not choose option No. 1. Mayor Dehen indicated the Council did take the Roe Crest Drive residents' opinion into consideration and approved option No. 1 with the trail.

Barb Church, 102 Wheeler, appeared before Council and stated that while the Sports Commission report referenced the MSA; Nicollet and Eagle Lake were not included in the study. She stated she was not satisfied with the answers she received concerning utility bill stuffers and consent agenda.

Randy Lundsten, 2043 Roe Crest Drive, appeared before Council and stated the residents of Roe Crest Drive were not heard. Mayor Dehen stated the Council did take the residents' opinion into consideration.

Jean Zandstra, 2057 Roe Crest Drive, appeared before Council and stated the Safe Routes to School study was flawed as there was no safe way to cross Lee Boulevard.

Karen Dubke, 2041 Roe Crest Drive, appeared before Council and stated a 4-foot sidewalks would be wide enough.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 8:58 p.m.

Mayor

City Clerk