

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

Approval of Agenda

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

Approval of Council and Open Forum Meeting Minutes

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council and Open Forum meeting of February 5, 2018. Vote on the motion: Norland, Freyberg, Steiner and Dehen aye; abstain Whitlock; no nays. Motion carried.

Public Hearing, Consider Petition for Vacation of Utility Easements in Benson West.

Community Development Director Fischer stated the request is to vacate nine utility easements in Benson West to allow the replat of the property. With no one appearing before Council, Mayor Dehen closed the Public Hearing.

Public Hearing, Consider Petition for Vacation of Utility Easements in Nature View Subdivision.

Community Development Director Fischer reported to replat Nature View it is necessary to change lot lines, which requires the vacation of two utility easements. With no one appearing before Council, Mayor Dehen closed the Public Hearing.

Public Hearing, Consider Petition for Vacation of a Portion of Marie Lane Right of Way in the City of North Mankato.

Community Development Director Fischer stated to replat Nature View it is necessary to vacate a portion of Marie Lane. Marie Lane would be relocated near the current right-of-way, but the old portions need to be vacated. With no one appearing before Council, Mayor Dehen closed the Public Hearing.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 15-18 Approving Donations/Contributions/Grants.
- C. Approved A.B.A.T.E. Parade Permit for May 12, 2018, from 12:15 p.m. to 12:45 p.m.
- D. Res. No. 16-18 Waiving Waiting Period for Exemption from Lawful Gambling License for Feeding Our Communities Partners on June 14, 2018.
- E. Approved Application for Temporary On-Sale Liquor License for Vista Prairie at Monarch Meadows on April 26, 2018.
- F. Res. No. 17-18 Setting Firefighter's Relief Association Retirement Benefits and Establishing Funding Limitations.

- G. Set Public Hearing for 7 p.m. on March 5, 2018, to Consider Amendment to City Code Section 155.50 (B) Ravine Dedication.
- H. Approved Business on Belgrade's Bookin' on Belgrade Parade Permit for May 19, 2018, from 8:30 a.m. to 9:45 a.m.
- I. Approved Music in the Park Audio Permit, at Storybook Park, for July 12, 19, and 26, 2018 from 5:00 p.m. to 7:00 p.m.
- J. Approved the Purchase of a Tandem Dump Truck Equipped with Plow and Sander for \$248,840.

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

Motion carried.

Public Comments Concerning Business Items on the Agenda

Tom Hagen, 927 Lake Street, appeared before Council and stated he attended the Parks & Amenities open house and questioned why North Mankato did not have a park board when creating one was mentioned in the 2015 Parks Master Plan. He requested an explanation as to why the Park Board was disbanded and why the plans submitted by the Park Board were not implemented. He indicated he did not believe the Council would implement any of the citizen comments received during the open house. Council Member Norland said Community Development Director Fischer, former City Clerk Gehrke and she developed the Park Advisory Committee, and the committee was intended to end.

Phil Henry, 1300 Noretta Drive, appeared before Council and stated he believed the proposed developer's agreement would give the developer \$250,000 so he can develop homes valued at \$500,000. Mr. Henry indicated he believes if the City captures the taxes from the new homes it will take 12.8 years to pay back the \$250,000.

Lucy Lowry, 2263 Northridge Drive, appeared before Council and requested clarification on if the properties would be assessed for the Marie Lane Extension. Mayor Dehen stated the road in the subdivision would be built by the developer and only the extension from Ivy Lane to the beginning of the development would be built by the City. Ms. Lowry indicated that only ten families would appear to receive benefit from the \$250,000 used to build the road. She stated maybe the City could use the funds to buy chairs and tables for the recently remodeled Police Annex or work on projects in Benson Park. Ms. Lowry expressed concerns about setting a precedent for other developers to request the City build roads and not assess the work to the property owners.

Stefanie Jaquette, 509 Wheeler Avenue, appeared before Council and thanked City staff for the Parks and Amenities Open house. She encouraged the Council to create a Parks Board.

Andrew Atwood, 1255/1253 Lake Street, appeared before Council and stated he had requested the changes to Ordinance 214. He indicated the Ordinance should be amended to allow two (2) unrelated persons per bedroom provided off-street parking requirements are met. Currently, the ordinance states no more than two unrelated persons can reside together in single and two-family dwellings in R-1 and R-2 zoning districts.

Business Items

Receive Zero Waste Grant Update

Public Works Director Swanson welcomed Mankato Zero Waste to the podium to provide an interim grant update.

Betty Winkworth, 907 Baker Avenue, Mankato, appeared before Council and stated the program is going well with 94 households signed up, the two-yard dumpster regularly overflowing

with organics and no contamination in the dumpster. Ms. Winkworth indicated the grant has covered hauling costs and worked to promote the program and educate the public. She reported the grant coverage would end in June. Ms. Winkworth stated the community has been receptive and School District 77, MSU, ECHO Food Shelf and a variety of grocers and eateries utilize organics recycling. She thanked Public Works Director Swanson, resident and volunteer Katy Wortel, and City Clerk Van Genderen for working with the grant.

Kathleen Felt, 702 Cornelia Street, appeared before Council and reported Mankato Zero Waste has provided starter kits for users, attended a variety of events and promoted the program through a variety of avenues. She said the program would continue to have a presence at events and develop through a variety of channels including the e-newsletter and the bi-annual newsletter. Ms. Felt indicated Mankato Zero Waste could use the remainder of the funds to create City specific brochures, starter kits, videos, and event bins. She noted that once the grant ran out, the City may want to consider a staff person dedicated to the program.

Jane Dow, 37 Capri Drive, Mankato, appeared before Council and stated the grant still had \$13,000 it could use for promotion and education. She reviewed the benefits of organics recycling and indicated West Central provided Mankato with a bid for curbside organics pick-up and reported West Central would be willing to give North Mankato the same cost.

Public Works Director Swanson thanked Mankato Zero Waste for their work.

Consider Ordinance No. 99, Fourth Series an Ordinance of the City of North Mankato, Minnesota Annexing 25.55 Acres Owned by Roy and Grace Toegel.

Community Development Director Fischer reported on November 20, 2017; the City Council received a request to annex 25.55 acres from Roy and Grace Toegel. The Toegel's want to annex and develop the property into single-family housing. A Public Hearing was held on January 2, 2018, and the City Council is now considering the Ordinance. **Council Member Norland moved, seconded by Council Member Freyberg to Adopt Ordinance No. 99, Fourth Series an Ordinance of the City of North Mankato, Minnesota Annexing 25.55 Acres Owned by Roy and Grace Toegel. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.**

Consider Approving Developer's Agreement for Privately Financed Improvements for Nature View Subdivision No. 2 & Publically Financed Improvements for the Extension of Marie Lane.

City Administrator Harrenstein reported the development agreement includes the reconstruction and extension of Marie Lane. The reconstruction is of approximately 265 feet of the street previously installed in 1988 and will extend the roadway another 211 feet to the boundary of proposed Nature View Subdivision No. 2. The agreement that was signed by the developer requires completion of the public improvements by the developer within nine months of the City Council executing the agreement. The developer has also agreed that all ten lots will be sold in the subdivision within four years of the improvements being completed. Should the developer not complete the sale of all ten lots in four years, the City cost to reconstruct/extend Marie Lane will be assessed to the remaining unsold lots in the subdivision. The developer will provide the City with 110% of estimated costs for internal improvements to Nature View Subdivision No. 2 before receiving a building permit. The agreement obligates the City to extend Marie Lane to the boundary of the development within nine months of the developer submitting a cash deposit for 110% of the internal improvements or an approved letter of credit for the same amount. City Administrator Harrenstein stated staff recommends the City utilize remaining bond proceeds from an outstanding G.O. improvement project to complete the Marie Lane reconstruction/extension at the estimated cost of \$249,000. He stated the request to

complete the reconstruction/extension is being considered for several reasons. First, a portion of the improvement project is a reconstruction of an existing city street. Second, the proposed project complies with the land use goals of the city and comprehensive land use plan objectives. Third, the City has remaining proceeds from an outstanding G.O. Improvement Bond that is available to use toward the project. The City has two options with the remaining funds; put the money in the Debt Service Fund or allocate to a project. The money can only be used for a Capital Improvement Project; the debt service levy will not increase. City Administrator Harrenstein noted the Jefferson Avenue Reconstruction cost is estimated at approximately \$500,000, only approximately \$100,000 can be funded by the residents directly affected by the reconstruction, the remainder is funded by all residents. City Administrator Harrenstein stated no precedent would be set by funding the project in this manner and the opportunity cost would be great because the Toegel's have firmly said they would sell to a single purchaser instead of developing into the ten lots if the road was assessed to the property being developed. Using the remaining bond funds in this manner achieves the land use goals by allocating funds so no new debt will be required to reconstruct the existing Marie Lane and connect to the development. Council Member Steiner stated it was a good explanation. **Council Member Norland moved, seconded by Council Member Steiner to Approve the Developer's Agreement for Privately Financed Improvements for Nature View Subdivision No. 2 & Publically Financed Improvements for the Extension of Marie Lane. Vote on the motion: Norland, Whitlock, Steiner and Dehen aye; Freyberg abstain; no nays. Motion carried.**

Consider Approving Nature View Subdivision No. 2 Preliminary & Final Plat: A Request from Roy & Grace Toegel/Duane Erickson/Mick Montag.

Community Development Director Fischer stated in December 2017, Roy & Grace Toegel and Mick Montag submitted a request to consider a Preliminary Plat of Nature View Subdivision, several changes have occurred since that initial plat. Most notably Roy & Grace Toegel have entered into a purchase agreement with Donald Erickson to purchase his home addressed as 610 Marie Lane and remove the house. As a result, the preliminary plat has been changed. Specifically, the alignment of Marie Lane has changed, there are now ten lots versus eight lots, Nature View Subdivision needs to be replatted, and Outlot C is shown as the stormwater holding pond area. The City Council will review a ravine dedication ordinance on February 20, 2018, which would allow a developer to have the option to either dedicate ravine property to the City or place a conservation easement over the ravine property. The current developer would like to use a conservation easement. Several outlots are also shown in the subdivision including: Outlot A which will be dedicated to the City as ravine property, Outlot B which will be retained by the applicants for future residential development, Outlot C which shows the location of the required stormwater holding pond, Outlot D ravine property owned by the City and Outlot E owned by the City. The Planning Commission reviewed the plat and recommended approval. **Council Member Steiner moved, seconded by Council Member Norland to Approve Nature View Subdivision No. 2 Preliminary & Final Plat: A Request from Roy & Grace Toegel/Duane Erickson/Mick Montag. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.**

Res. No. 18-18 Receiving Feasibility Report and Calling Hearing for Project No. 17-06 ABCDE Marie Lane Extension Project.

City Engineer Dan Sarff appeared before Council and stated the preliminary and final plat of Nature View Subdivision No. 2 was presented and approved by Council on February 20, 2018. He stated the proposed subdivision is located at the west end of platted right of way of Marie Lane approximately 450 feet west of Ivy Lane. Engineer Sarff reported sanitary sewer, watermain, and

storm sewer were in place from Ivy Lane to about 300 feet west of Ivy Lane with existing utilities constructed in 1986. The proposed improvements include the construction of new sanitary sewer and watermain from where the current utilities end to the east boundary of subdivision property and modifications to existing storm sewer and the construction of new inlets. The street and surface improvements include the reconstruction of existing street to meet City standards. He reported the proposed estimated cost for the project is \$241,800. Engineer Sarff stated only 612 Marie Lane would receive benefit from portions of the street reconstruction and extension and would be assessed for the improvements. He requested Council consider the resolution approving the feasibility report and setting a Public Hearing for March 19, 2018. **Council Member Norland moved, seconded by Council Member Steiner to Adopt Res. No. 18-18 Receiving Feasibility Report and Calling Hearing for Project No. 17-06 ABCDE Marie Lane Extension Project. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.**

Res. No. 19-18 Vacating Utility Easements in Nature View Subdivision. Council Member Freyberg moved, seconded by Council Member Norland to Adopt Res. No. 19-18 Vacating Utility Easements in Nature View Subdivision. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.

Res. No. 20-18 Vacating a Portion of Marie Lane Right of Way in the City of North Mankato. Council Member Freyberg moved, seconded by Council Member Steiner to Adopt Res. No. 20-18 Vacating a Portion of Marie Lane Right of Way in the City of North Mankato. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.

Res. No. 21-18 Vacating Utility Easements in Benson West. Council Member Freyberg moved, seconded by Council Member Steiner to Adopt Res. No. 21-18 Vacating Utility Easements in Benson West. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.

Consider Benson West No. 2 Preliminary & Final Plat: A Request from Michael & Julie Drummer.

Community Development Director Fischer reported the vacation of Utility Easements in Benson West allows the replat of the property for the development of several townhomes. City Administrator Harrenstein indicated the townhomes could be purchased for \$200,000 and is an example of housing diversity the City is working on producing. **Council member Norland moved, seconded by Council Member Whitlock to Approve Benson West No. 2 Preliminary & Final Plat: A Request from Michael & Julie Drummer. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.**

Res. No. 22-18 Approving Plans and Specifications and Ordering Advertisement for Bids for Project No. 17-05 ABCDEF Jefferson Avenue Improvement.

City Engineer Sarff reported the plans and specification had been prepared for the Jefferson Avenue Improvement Project. The proposed improvements are essentially the same as that presented in the Preliminary Engineering Report. He reviewed the conditions which include no storm sewer and sanitary and water mains over 65 years old, the street and surface were constructed over 65 years old with the pavement and curb pavement in fair to poor condition and the sidewalks on both sides in poor condition. The proposed improvements include replacing existing sanitary sewer, water main and the

construction of the new storm sewer system and reconstruction of existing street and sidewalks. The removal of 16 existing trees because 10 are ash trees, four are unhealthy, and two are too large for the boulevards. The estimated cost of the project is \$517,700. Mayor Dehen requested the number of houses affected by the project. Engineer Sarff reported 18 houses would be assessed for the project. **Council Member Norland moved, seconded by Council Member Steiner to Adopt Res. No. 22-18 Approving Plans and Specifications and Ordering Advertisement for Bids for Project No. 17-05 ABCDEF Jefferson Avenue Improvement. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.**

Consider Request to Amend Ordinance No. 214.

Community Development Director Fischer reported the request is from Andrew Atwood who is requesting an amendment to Ordinance No. 214, Subd. 12, which regulates occupancies in R-1 and R-2 zoning districts. Ordinance No. 214 states that no more than two unrelated persons can reside together in single and two-family dwellings in R-1 and R-2 zoning districts. As requested by the applicant, residential occupancies of single and two-family dwellings in R-1 and R-2 districts shall be limited to two (2) unrelated persons per bedroom provided off-street parking requirements are met. Community Development Director Fischer reported the Planning Commission reviewed the request and recommended denial. **Council Member Steiner moved, seconded by Council Member Norland to Accept the Planning Commissions Recommendation and Deny the Request. Vote on the motion: Norland, Freyberg, Whitlock, Steiner and Dehen aye; no nays. Motion carried.**

Review 2019 Budget & Proposed 2019-2028 CIP Schedule.

Finance Director McCann reported there were numerous items on the CIP and City staff would be providing a review of currently identified CIP projects in preparation of the 2019 Budget and 2019-2028 CIP process. He reviewed the Lookout Drive Pedestrian Trail which would involve a combination of right-of-way trail, a pedestrian bridge, grading, and other work along the south side of Lookout Drive from Carol Court to Lee Boulevard and complete missing sections of trail from Carol Court to North Ridge Drive. The estimated cost of the project is \$3,450,000, and the project has no funding source. Finance Director McCann reported on the current debt service schedule; the city has allocated an estimated 2 million per year for General Obligation Borrowing. The project amount is greater than the estimated yearly borrowing amount; the City would need to hold off two years of projects to be able to bond for the project. He stated staff recommends this project remain on the CIP but remain at the end of the CIP and be listed as unfunded. Council Member Norland agreed that it should remain on the CIP at the end.

Receive Parks and Amenities Presentation.

Parks Superintendent Rader appeared before Council and presented a PowerPoint discussing the past, present, and future of the parks and green spaces in North Mankato. The presentation reviewed the acquisition of the 21 parks, the maintenance of those parks and the 250 acres the staff of seven are responsible for maintaining and improving. He reviewed the plans for the parks including updated play equipment and the development of the Walter S. Farm and Wheeler Park Comprehensive Plans. Parks Superintendent Rader reported the staff is proactively working to manage the damage of the Emerald Ash Borer which is heading towards North Mankato. City Administrator Harrenstein requested information on the number of ash trees in North Mankato. Parks Superintendent Rader reported City staff with the help of Bolton & Menk would be conducting a tree survey, but they estimate there are approximately 1,000 trees on public property and in the boulevards. Mayor Dehen requested clarification on the comprehensive plan process. Parks Superintendent Rader reported the

Walter S. Park comprehensive plan was close to completion and it had been a collaborative project with the residents of the area. He stated the plan was to work closely with residents in the development of the Wheeler Park Comprehensive Plan. Administrator Harrenstein stated the parks were well maintained and staff could be proud of their work. Council Member Freyberg reported both Parks Superintendent Rader and Parks Foreman Jason Lobitz were good to work with and were responsive to questions.

City Administrator and Staff Comments

City Administrator Harrenstein reviewed the development of the Parks Master Plan which began in 2014. He read a portion of the Parks Master Plan from Page 6 which discussed the North Mankato Parks and Green Spaces Committee (2007-2010). The Parks and Green Spaces Committee mission was to “support and continue to build a world-class park and green spaces system for the City of North Mankato.” In 2014, Staff met with members of the former Parks and Green Spaces Committee to revisit the recommendations that the Committee provided and to consider them in the context of 2014-2015. Recommendation from each past subcommittee was examined and discussed for present relevance. Staff provided responses to the recommendations that can be read in Appendix I of the Parks Master Plan. The Parks Master Plan makes specific recommendations for each park and when appropriate incorporates recommendations from the committee. City Administrator Harrenstein also reported that the Greenway Conservation Advisory Committee was formed and included a Council Member, a citizen and a representative from the DNR.

Community Development Director Fischer reported the 2017 End-of-Year Planning and Zoning Report was included in the packet for Council Review.

Finance Director McCann reported City staff would be pedaling as the Mayor’s Maniacs for Pedal Past Poverty on Saturday, February 24th.

Mayor and Council Comments

Council Member Whitlock thanked Council for passing T21 at the previous Council Meeting.

Council Member Norland stated she had had conversations with former State legislators and they stated when cities pass laws it encourages the passing of a State Law to increase the age to purchase tobacco and tobacco products to 21.

Mayor Dehen stated Pedal Past Poverty would be held on Saturday, February 24th.

Mayor Dehen stated he received a letter from DEED announcing that North Mankato is the grant recipient of \$394,294 to expand North Port infrastructure.

Mayor Dehen stated he received a thank you from the Nicollet County Health Nurse for passing T21.

Mayor Dehen thanked everyone who came out for Coffee with the Council on February 17, 2018.

There being no further business, on a motion by Council Member Steiner, seconded by Council Member Norland, the meeting adjourned at 8:20 p.m.

Mayor

City Clerk